

2SHB 1182 - S COMM AMD

By Committee on Early Learning & K-12 Education

ADOPTED 03/04/2020

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature acknowledges that the
4 learning assistance program was developed to provide supplemental
5 services for public school students who are not meeting academic
6 standards. Initially, school districts were allowed to use learning
7 assistance program funds in a flexible manner to support
8 participating students. Over time, the legislature has continued to
9 reduce flexibility, create additional restrictions, and establish
10 priorities for the use of learning assistance program funds to such
11 an extent that the program may no longer be as effective in promoting
12 student success or serving the original intent as it could be. The
13 legislature finds that it is time to reexamine the learning
14 assistance program requirements in a holistic manner with a goal of
15 restoring flexibility to districts to use the funds in a way that
16 promotes a coordinated system of academic and nonacademic supports
17 that reduce barriers to academic achievement and best serve student
18 success while also balancing local control with local accountability
19 for improvement in student learning.

20 NEW SECTION. **Sec. 2.** (1) The office of the superintendent of
21 public instruction shall review the requirements of the learning
22 assistance program and shall make recommendations to the legislature
23 by October 1, 2020, on how to modify the program requirements
24 including, but not limited to, recommendations on:

- 25 (a) Appropriate monitoring and reporting requirements;
26 (b) The types of services and activities that can be supported by
27 the learning assistance program funds, including whether support for
28 all or portions of the Washington integrated student supports
29 protocol established under RCW 28A.300.139 should be included; and

1 (c) Whether use of a practice or strategy identified on the state
2 menu as required by RCW 28A.165.035 should continue to be a criteria
3 of the program.

4 (2) This section expires January 1, 2021.

5 **Sec. 3.** RCW 28A.165.035 and 2018 c 75 s 7 are each amended to
6 read as follows:

7 (1) Use of best practices that have been demonstrated through
8 research to be associated with increased student achievement
9 magnifies the opportunities for student success. To the extent they
10 are included as a best practice or strategy in one of the state menus
11 or an approved alternative under this section or RCW 28A.655.235, the
12 following are services and activities that may be supported by the
13 learning assistance program:

14 (a) Extended learning time opportunities occurring:

15 (i) Before or after the regular school day;

16 (ii) On Saturday; and

17 (iii) Beyond the regular school year;

18 (b) Services under RCW 28A.320.190;

19 (c) Intensive reading and literacy improvement strategies under
20 RCW 28A.655.235;

21 (d) Professional development for certificated and classified
22 staff that focuses on:

23 (i) The needs of a diverse student population;

24 (ii) Specific literacy and mathematics content and instructional
25 strategies; and

26 (iii) The use of student work to guide effective instruction and
27 appropriate assistance;

28 ~~((d))~~ (e) Consultant teachers to assist in implementing
29 effective instructional practices by teachers serving participating
30 students;

31 ~~((e))~~ (f) Tutoring support for participating students;

32 ~~((f))~~ (g) School-wide behavioral health system of supports and
33 interventions for students including social workers, counselors,
34 instructional aides, and other school-based health professionals;

35 (h) Screening and intervention requirements under RCW
36 28A.320.260, even if the student being screened or provided with
37 supports is not eligible to participate in the learning assistance
38 program, and any staff trainings necessary to implement RCW
39 28A.320.260;

1 (i) Outreach activities and support for parents of participating
2 students, including employing parent and family engagement
3 coordinators; and

4 ~~((g))~~ (j) Up to ~~((five))~~ fifteen percent of a district's
5 learning assistance program allocation may be used for development of
6 partnerships with community-based organizations, educational service
7 districts, and other local agencies to deliver academic and
8 nonacademic supports to participating students who are significantly
9 at risk of not being successful in school to reduce barriers to
10 learning, increase student engagement, and enhance students'
11 readiness to learn. The school board must approve in an open meeting
12 any community-based organization or local agency before learning
13 assistance program funds may be expended.

14 (2) In addition to the state menu developed under RCW
15 28A.655.235, the office of the superintendent of public instruction
16 shall convene a panel of experts, including the Washington state
17 institute for public policy, to develop additional state menus of
18 best practices and strategies for use in the learning assistance
19 program to assist struggling students at all grade levels in English
20 language arts and mathematics and reduce disruptive behaviors in the
21 classroom. The office of the superintendent of public instruction
22 shall publish the state menus by July 1st ~~((, 2015, and update the
23 state menus by each July 1st thereafter))~~ of each year.

24 (3) (a) ~~((Beginning in the 2016-17 school year, except))~~ Except as
25 provided in (b) of this subsection, school districts must use a
26 practice or strategy that is on a state menu developed under
27 subsection (2) of this section or RCW 28A.655.235.

28 (b) ~~((Beginning in the 2016-17 school year, school))~~ School
29 districts may use a practice or strategy that is not on a state menu
30 developed under subsection (2) of this section for two school years
31 initially. If the district is able to demonstrate improved outcomes
32 for participating students over the previous two school years at a
33 level commensurate with the best practices and strategies on the
34 state menu, the office of the superintendent of public instruction
35 shall approve use of the alternative practice or strategy by the
36 district for one additional school year. Subsequent annual approval
37 by the superintendent of public instruction to use the alternative
38 practice or strategy is dependent on the district continuing to
39 demonstrate increased improved outcomes for participating students.

1 (c) (~~Beginning in the 2016-17 school year, school~~) School
2 districts may enter cooperative agreements with state agencies, local
3 governments, or school districts for administrative or operational
4 costs needed to provide services in accordance with the state menus
5 developed under this section and RCW 28A.655.235.

6 (~~(4) School districts are encouraged to implement best practices~~
7 ~~and strategies from the state menus developed under this section and~~
8 ~~RCW 28A.655.235 before the use is required.~~

9 ~~(5) School districts may use learning assistance program~~
10 ~~allocations to meet the screening and intervention requirements of~~
11 ~~RCW 28A.320.260, even if the student being screened or provided with~~
12 ~~supports is not eligible to participate in the learning assistance~~
13 ~~program. The learning assistance program allocations may also be used~~
14 ~~for school district staff trainings necessary to implement the~~
15 ~~provisions of RCW 28A.320.260.)~~

16 **Sec. 4.** RCW 28A.165.005 and 2017 3rd sp.s. c 13 s 403 are each
17 amended to read as follows:

18 (1) This chapter is designed to: (a) Promote the use of data when
19 developing programs to assist students who are not meeting academic
20 standards and reduce disruptive behaviors in the classroom; and (b)
21 guide school districts in providing the most effective and efficient
22 practices when implementing supplemental instruction and services to
23 assist students who are not meeting academic standards and reduce
24 disruptive behaviors in the classroom.

25 (2) School districts implementing a learning assistance program
26 shall (~~focus first on addressing~~) expend a portion of learning
27 assistance program funding to address the needs of students in grades
28 kindergarten through four who are deficient in reading or reading
29 readiness skills to improve reading literacy."

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30 On page 1, line 5 of the title, after "protocol;" strike the
31 remainder of the title and insert "amending RCW 28A.165.035 and
32 28A.165.005; creating new sections; and providing an expiration
33 date."

EFFECT: Strikes all provisions in the underlying bill and inserts provisions with the following effects:

(1) Adds an intent section;

(2) Allows the Learning Assistance Program (LAP) to support school-wide behavioral health system of supports and interventions, including social workers, counselors, instructional aids, and other school-based health professionals;

(3) Allows LAP to support intensive reading and literacy improvement strategies;

(4) Requires school districts to expend a portion of LAP funding to address the needs of students in grades K-4 who are deficient in reading or reading readiness skills, rather than requiring districts to focus first on these students;

(5) Requires the Office of the Superintendent of Public Instruction to review the LAP requirements and make recommendations to the legislature by October 1, 2020. The recommendations must address appropriate monitoring and reporting requirements, the types of services and activities that should be supported by LAP, whether the Washington Integrated Student Supports Protocol should be included, and whether the use of a practice or strategy identified on the state menu should be continued;

(6) Increases the five percent cap on the use of LAP allocations for partnership development to fifteen percent.

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