S-1219.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 5248**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**State of Washington 68th Legislature 2023 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators Braun, Mullet, Dozier, Keiser, Shewmake, Torres, Wagoner, Wellman, and L. Wilson)

AN ACT Relating to using COVID-19 relief funding on high quality tutoring and rigorous extended learning programs; creating new sections; and providing expiration dates.

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

NEW SECTION. **Sec.**  (1) The legislature acknowledges that the state received billions in COVID-19 relief funding throughout the COVID-19 pandemic to support the educational system. Much of this funding, approximately 90 percent, was made available directly to school districts and other local educational agencies and a large amount was initially spent on preventing COVID-19 transmission.

(2) The legislature recognizes that the American rescue plan act of 2021, P.L. 117-2, requires school districts to allocate at least 20 percent of elementary and secondary school emergency relief funds toward learning recovery efforts. The American rescue plan act also requires state educational agencies to use at least 5 percent of this funding on learning recovery. The legislature believes that even more of this funding should be used to address learning loss due to COVID-19.

(3) The legislature further recognizes that it directed the office of the superintendent of public instruction to use a portion of this COVID-19 relief funding to administer grants for the purposes of learning recovery and acceleration in the 2021-2023 omnibus operating appropriations act. This funding can only be used in certain ways including one-on-one and small group instruction and other intensive learning supports. The legislature believes that targeted high quality tutoring and rigorous extended learning programs are the two most effective ways to spend this funding. The legislature intends to reappropriate the remaining funds from this grant program to these two effective methods for addressing learning recovery and acceleration. The legislature also intends for these funds to support high quality tutoring and rigorous extended learning programs that are targeted at students with the greatest learning recovery needs.

(4) The legislature also acknowledges that the office of the superintendent of public instruction and state legislature may not limit or direct the use of the COVID-19 relief funding that went directly to school districts. However, the legislature intends to incentivize school districts to use any remaining funds they have available on high quality tutoring and rigorous extended learning programs by creating a state matching grant program. The legislature believes that incentivizing the use of these funds on these two effective methods will best support students and address learning loss experienced during the COVID-19 pandemic.

NEW SECTION. **Sec.**  The definitions in this section apply throughout sections 3 and 4 of this act unless the context clearly requires otherwise.

(1) "High quality tutoring" means programs that: (a) Use certificated staff, paraeducators, and trained volunteers; (b) have small student to teacher ratios; (c) are ongoing throughout the school year and occur at least several times a week; (d) use data to identify students most in need of support and monitor students' progress; and (e) assess program effectiveness.

(2) "Rigorous extended learning programs" means programs incorporating features that research has shown as most effective for student learning recovery, which include: (a) High quality curriculum aligned with content from the regular school day and lesson plans that include options for individualized instruction; (b) preservice and ongoing training, and one-to-one coaching for extended learning instructors; (c) extra instruction time during the regular school year, school breaks, or the summer, and strategies such as double blocking, acceleration camps, or mandatory summer school programs; (d) opportunities for students to attend at least 44 to 100 hours; and (e) the use of certificated staff, paraeducators, and trained volunteers.

(3) This section expires December 31, 2024.

NEW SECTION. **Sec.**  (1) The office of the superintendent of public instruction must administer grants for the purposes of learning recovery and acceleration.

(2) Allowable uses of the funds are limited to targeted high quality tutoring and rigorous extended learning programs that are focused on students with the greatest learning recovery needs.

(3) The office shall allocate any unspent funds from the elementary and secondary school emergency relief III account to implement this section.

(4) This section expires December 31, 2024.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must establish the state matching grant program for learning recovery and acceleration.

(2) The purpose of the grant program is to provide state matching funds to schools and school districts that choose to use the elementary and secondary school emergency relief III account subgrant allocations attributable to section 2001(e)(2) of the American rescue plan act of 2021, P.L. 117-2 on targeted high quality tutoring and rigorous extended learning programs.

(3) The amount of state matching funds shall be 50 percent of the amount schools and school districts use from the elementary and secondary school emergency relief III account on targeted high quality tutoring and rigorous extended learning programs.

(4)(a) School districts, charter schools, and state-tribal education compact schools may apply for the state matching funds.

(b) Applicants are eligible for these state matching funds if they only use the funding they receive from the elementary and secondary school emergency relief III account on either targeted high quality tutoring or rigorous extended learning programs, or both, in the 2023-24 school year.

(c) Funding priority shall be given to school districts, charter schools, and state-tribal education compact schools that have the lowest percentage of students meeting grade level standards as measured by the English language arts and mathematics results of the smarter balanced assessments or any other statewide student assessment.

(5) The office of the superintendent of public instruction may adopt rules for the grant program established under this section.

(6) This section expires December 31, 2024.

**--- END ---**