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**SENATE BILL 5248**

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

**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; making an appropriation; 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.

(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.**  (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.

(3) The sum of $46,570,000, or as much thereof as may be necessary, is appropriated for the fiscal biennium ending June 30, 2025, from the elementary and secondary school emergency relief III federal account to the office of the superintendent of public instruction for the purposes of 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 federal 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 federal 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 federal 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.

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