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SECOND SUBSTITUTE SENATE BILL 5330

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State of Washington

63rd Legislature

2013 Regular Session

By Senate Ways & Means (originally sponsored by Senators Hargrove, Shin, and Hill)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to improved student achievement and student  
2 outcomes; amending RCW 28A.150.220, 28A.150.260, 28A.165.005,  
3 28A.165.015, 28A.165.025, 28A.165.035, and 28A.175.025; adding a new  
4 section to chapter 28A.415 RCW; adding new sections to chapter 28A.165  
5 RCW; adding new sections to chapter 28A.180 RCW; adding a new section  
6 to chapter 28A.630 RCW; adding a new section to chapter 43.09 RCW;  
7 creating new sections; and providing an expiration date.

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

9 NEW SECTION. **Sec. 1.** The legislature intends to respond to our  
10 constitutional obligation to amply fund basic education by targeting  
11 our initial investments in the new basic education program on research-  
12 based practices that will result in improving student achievement,  
13 closing the opportunity gap, and reducing dropout rates. The  
14 legislature recognizes that reform efforts without funding is simply  
15 another unfunded mandate on our schools and an empty promise to our  
16 children. The legislature recognizes that funding is necessary but not  
17 sufficient to fully provide an equal opportunity for all students to  
18 learn. The legislature further recognizes that each student is  
19 different and that to provide the opportunity to learn, the state must

1 provide additional resources and programs to those students with the  
2 greatest barriers to being successful members of society, the  
3 workforces, and a democracy. It is the intent of the legislature to  
4 provide the necessary resources to each student through programs and  
5 initiatives that demonstrate the greatest relationship to that  
6 student's learning and ultimate success. By focusing our initial  
7 funding on programs that have positive student outcomes we are moving  
8 away from an input-based approach to school funding and towards a  
9 funding system that is tied to producing results.

10 The legislature intends to continue to make changes to the program  
11 of basic education in those areas where emerging research and evidence  
12 shows there are better and more efficient strategies for helping  
13 students succeed.

14 The legislature further intends to continue to focus on the  
15 individualized needs of every child and recognize that different  
16 children need differing levels of support in order to have an equal  
17 opportunity to access their full potential. By investing now in those  
18 educational support services that research demonstrates have a low risk  
19 of failure and good return on investment, the state anticipates we will  
20 save money in the future as the need for continuing intervention  
21 strategies for those same children later in their educational career is  
22 reduced. With this approach, the overall funding needs of the  
23 educational system will over time be reduced even as student  
24 achievement improves.

25 **Sec. 2.** RCW 28A.150.220 and 2011 1st sp.s. c 27 s 1 are each  
26 amended to read as follows:

27 (1) In order for students to have the opportunity to develop the  
28 basic education knowledge and skills under RCW 28A.150.210, school  
29 districts must provide instruction of sufficient quantity and quality  
30 and give students the opportunity to complete graduation requirements  
31 that are intended to prepare them for postsecondary education, gainful  
32 employment, and citizenship. The program established under this  
33 section shall be the minimum instructional program of basic education  
34 offered by school districts.

35 (2) Each school district shall make available to students the  
36 following minimum instructional offering each school year:

1 (a) For students enrolled in grades one through twelve, at least a  
2 district-wide annual average of one thousand hours, which shall be  
3 increased to at least one thousand eighty instructional hours for  
4 students enrolled in each of grades seven through twelve and at least  
5 one thousand instructional hours for students in each of grades one  
6 through six according to an implementation schedule adopted by the  
7 legislature, but not before the 2014-15 school year; and

8 (b) For students enrolled in kindergarten, at least four hundred  
9 fifty instructional hours, which shall be increased to at least one  
10 thousand instructional hours according to the implementation schedule  
11 under RCW 28A.150.315.

12 (3) The instructional program of basic education provided by each  
13 school district shall include:

14 (a) Instruction in the essential academic learning requirements  
15 under RCW 28A.655.070;

16 (b) Instruction that provides students the opportunity to complete  
17 twenty-four credits for high school graduation, subject to a phased-in  
18 implementation of the twenty-four credits as established by the  
19 legislature. Course distribution requirements may be established by  
20 the state board of education under RCW 28A.230.090;

21 (c) If the essential academic learning requirements include a  
22 requirement of languages other than English, the requirement may be met  
23 by students receiving instruction in one or more American Indian  
24 languages;

25 (d) Supplemental instruction and services for underachieving  
26 students through the learning assistance program under RCW 28A.165.005  
27 through 28A.165.065;

28 (e) Supplemental instruction and services for eligible and enrolled  
29 students whose primary language is other than English through the  
30 transitional bilingual instruction program under RCW 28A.180.010  
31 through 28A.180.080 and section 12 of this act;

32 (f) The opportunity for an appropriate education at public expense  
33 as defined by RCW 28A.155.020 for all eligible students with  
34 disabilities as defined in RCW 28A.155.020; and

35 (g) Programs for highly capable students under RCW 28A.185.010  
36 through 28A.185.030.

37 (4) Nothing contained in this section shall be construed to require

1 individual students to attend school for any particular number of hours  
2 per day or to take any particular courses.

3 (5) Each school district's kindergarten through twelfth grade basic  
4 educational program shall be accessible to all students who are five  
5 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
6 years of age and shall consist of a minimum of one hundred eighty  
7 school days per school year in such grades as are conducted by a school  
8 district, and one hundred eighty half-days of instruction, or  
9 equivalent, in kindergarten, to be increased to a minimum of one  
10 hundred eighty school days per school year according to the  
11 implementation schedule under RCW 28A.150.315. However, schools  
12 administering the Washington kindergarten inventory of developing  
13 skills may use up to three school days at the beginning of the school  
14 year to meet with parents and families as required in the parent  
15 involvement component of the inventory. In addition, effective May 1,  
16 1979, a school district may schedule the last five school days of the  
17 one hundred ~~((and))~~ eighty day school year for noninstructional  
18 purposes in the case of students who are graduating from high school,  
19 including, but not limited to, the observance of graduation and early  
20 release from school upon the request of a student, and all such  
21 students may be claimed as a full-time equivalent student to the extent  
22 they could otherwise have been so claimed for the purposes of RCW  
23 28A.150.250 and 28A.150.260.

24 (6) Nothing in this section precludes a school district from  
25 enriching the instructional program of basic education, such as  
26 offering additional instruction or providing additional services,  
27 programs, or activities that the school district determines to be  
28 appropriate for the education of the school district's students.

29 (7) The state board of education shall adopt rules to implement and  
30 ensure compliance with the program requirements imposed by this  
31 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental  
32 program approval requirements as the state board may establish.

33 **Sec. 3.** RCW 28A.150.260 and 2011 1st sp.s. c 27 s 2 are each  
34 amended to read as follows:

35 The purpose of this section is to provide for the allocation of  
36 state funding that the legislature deems necessary to support school

1 districts in offering the minimum instructional program of basic  
2 education under RCW 28A.150.220. The allocation shall be determined as  
3 follows:

4 (1) The governor shall and the superintendent of public instruction  
5 may recommend to the legislature a formula for the distribution of a  
6 basic education instructional allocation for each common school  
7 district.

8 (2) The distribution formula under this section shall be for  
9 allocation purposes only. Except as may be required under chapter  
10 28A.155, 28A.165, 28A.180, or 28A.185 RCW, or federal laws and  
11 regulations, nothing in this section requires school districts to use  
12 basic education instructional funds to implement a particular  
13 instructional approach or service. Nothing in this section requires  
14 school districts to maintain a particular classroom teacher-to-student  
15 ratio or other staff-to-student ratio or to use allocated funds to pay  
16 for particular types or classifications of staff. Nothing in this  
17 section entitles an individual teacher to a particular teacher planning  
18 period.

19 (3)(a) To the extent the technical details of the formula have been  
20 adopted by the legislature and except when specifically provided as a  
21 school district allocation, the distribution formula for the basic  
22 education instructional allocation shall be based on minimum staffing  
23 and nonstaff costs the legislature deems necessary to support  
24 instruction and operations in prototypical schools serving high,  
25 middle, and elementary school students as provided in this section.  
26 The use of prototypical schools for the distribution formula does not  
27 constitute legislative intent that schools should be operated or  
28 structured in a similar fashion as the prototypes. Prototypical  
29 schools illustrate the level of resources needed to operate a school of  
30 a particular size with particular types and grade levels of students  
31 using commonly understood terms and inputs, such as class size, hours  
32 of instruction, and various categories of school staff. It is the  
33 intent that the funding allocations to school districts be adjusted  
34 from the school prototypes based on the actual number of annual average  
35 full-time equivalent students in each grade level at each school in the  
36 district and not based on the grade-level configuration of the school  
37 to the extent that data is available. The allocations shall be further

1 adjusted from the school prototypes with minimum allocations for small  
2 schools and to reflect other factors identified in the omnibus  
3 appropriations act.

4 (b) For the purposes of this section, prototypical schools are  
5 defined as follows:

6 (i) A prototypical high school has six hundred average annual full-  
7 time equivalent students in grades nine through twelve;

8 (ii) A prototypical middle school has four hundred thirty-two  
9 average annual full-time equivalent students in grades seven and eight;  
10 and

11 (iii) A prototypical elementary school has four hundred average  
12 annual full-time equivalent students in grades kindergarten through  
13 six.

14 (4)(a) The minimum allocation for each level of prototypical school  
15 shall be based on the number of full-time equivalent classroom teachers  
16 needed to provide instruction over the minimum required annual  
17 instructional hours under RCW 28A.150.220 and provide at least one  
18 teacher planning period per school day, and based on the following  
19 general education average class size of full-time equivalent students  
20 per teacher:

	General education average class size
24 Grades K-3 . . . . .	25.23
25 Grade 4 . . . . .	27.00
26 Grades 5-6 . . . . .	27.00
27 Grades 7-8 . . . . .	28.53
28 Grades 9-12 . . . . .	28.74

29 (b) During the 2011-2013 biennium and beginning with schools with  
30 the highest percentage of students eligible for free and reduced-price  
31 meals in the prior school year, the general education average class  
32 size for grades K-3 shall be reduced until the average class size  
33 funded under this subsection (4) is no more than 17.0 full-time  
34 equivalent students per teacher beginning in the 2017-18 school year.

35 (c) The minimum allocation for each prototypical middle and high  
36 school shall also provide for full-time equivalent classroom teachers  
37 based on the following number of full-time equivalent students per  
38 teacher in career and technical education:

Career and technical  
education average  
class size

1  
2  
3  
4 Approved career and technical education offered at  
5 the middle school and high school level . . . . . 26.57  
6 Skill center programs meeting the standards established  
7 by the office of the superintendent of public  
8 instruction . . . . . 22.76

9 (d) In addition, the omnibus appropriations act shall at a minimum  
10 specify:

11 (i) A high-poverty average class size in schools where more than  
12 fifty percent of the students are eligible for free and reduced-price  
13 meals; and

14 (ii) A specialty average class size for laboratory science,  
15 advanced placement, and international baccalaureate courses.

16 (5)(a) The minimum allocation for each level of prototypical school  
17 shall include allocations for the following types of staff in addition  
18 to classroom teachers:

19  
20  
21

	Elementary School	Middle School	High School
22 Principals, assistant principals, and other certificated building-level			
23 administrators . . . . .	1.253	1.353	1.880
24 Teacher librarians, a function that includes information literacy, technology,			
25 and media to support school library media programs . . . . .	0.663	0.519	0.523
26 Health and social services:			
27 School nurses . . . . .	0.076	0.060	0.096
28 Social workers . . . . .	0.042	0.006	0.015
29 Psychologists . . . . .	0.017	0.002	0.007
30 Guidance counselors, a function that includes parent outreach and graduation			
31 advising . . . . .	0.493	1.116	1.909
32 Teaching assistance, including any aspect of educational instructional			
33 services provided by classified employees . . . . .	0.936	0.700	0.652
34 Office support and other noninstructional aides . . . . .	2.012	2.325	3.269
35 Custodians . . . . .	1.657	1.942	2.965

1	Classified staff providing student and staff safety .....	0.079	0.092	0.141
2	Parent involvement coordinators .....	0.00	0.00	0.00

3       (b) The omnibus appropriations act shall specify the level of state  
4 funding for parent involvement coordinators. State funds provided for  
5 parent involvement coordinators must be spent by the school districts  
6 to employ parent involvement coordinators and implement parent  
7 involvement programs that have been shown by research to be successful.

8       (6)(a) The minimum staffing allocation for each school district to  
9 provide district-wide support services shall be allocated per one  
10 thousand annual average full-time equivalent students in grades K-12 as  
11 follows:

12		Staff per 1,000
13		K-12 students
14	Technology . . . . .	0.628
15	Facilities, maintenance, and grounds . . . . .	1.813
16	Warehouse, laborers, and mechanics . . . . .	0.332

17       (b) The minimum allocation of staff units for each school district  
18 to support certificated and classified staffing of central  
19 administration shall be 5.30 percent of the staff units generated under  
20 subsections (4)(a) and (b) and (5) of this section and (a) of this  
21 subsection.

22       (7) The distribution formula shall include staffing allocations to  
23 school districts for career and technical education and skill center  
24 administrative and other school-level certificated staff, as specified  
25 in the omnibus appropriations act.

26       (8)(a) Except as provided in (b) of this subsection, the minimum  
27 allocation for each school district shall include allocations per  
28 annual average full-time equivalent student for the following  
29 materials, supplies, and operating costs, to be adjusted for inflation  
30 from the 2008-09 school year:

31		Per annual average
32		full-time equivalent student
33		in grades K-12
34	Technology . . . . .	\$54.43
35	Utilities and insurance . . . . .	\$147.90
36	Curriculum and textbooks . . . . .	\$58.44

1	Other supplies and library materials . . . . .	\$124.07
2	Instructional professional development for certified and	
3	classified staff . . . . .	\$9.04
4	Facilities maintenance . . . . .	\$73.27
5	Security and central office . . . . .	\$50.76

6 (b) During the 2011-2013 biennium, the minimum allocation for  
7 ((maintenance)) materials, supplies, and operating costs shall be  
8 increased as specified in the omnibus appropriations act. The  
9 following allocations, adjusted for inflation from the 2007-08 school  
10 year, are provided in the 2015-16 school year, after which the  
11 allocations shall be adjusted annually for inflation as specified in  
12 the omnibus appropriations act:

13		Per annual average
14		full-time equivalent student
15		in grades K-12
16	Technology . . . . .	\$113.80
17	Utilities and insurance . . . . .	\$309.21
18	Curriculum and textbooks . . . . .	\$122.17
19	Other supplies and library materials . . . . .	\$259.39
20	Instructional professional development for certificated and	
21	classified staff . . . . .	\$18.89
22	Facilities maintenance . . . . .	\$153.18
23	Security and central office administration . . . . .	\$106.12

24 (9) In addition to the amounts provided in subsection (8) of this  
25 section, the omnibus appropriations act shall provide an amount based  
26 on full-time equivalent student enrollment in each of the following:

27 (a) Exploratory career and technical education courses for students  
28 in grades seven through twelve;

29 (b) Laboratory science courses for students in grades nine through  
30 twelve;

31 (c) Preparatory career and technical education courses for students  
32 in grades nine through twelve offered in a high school; and

33 (d) Preparatory career and technical education courses for students  
34 in grades eleven and twelve offered through a skill center.

35 (10) In addition to the allocations otherwise provided under this  
36 section, amounts shall be provided to support the following programs  
37 and services:

1 (a) To provide supplemental instruction and services for  
2 underachieving students through the learning assistance program under  
3 RCW 28A.165.005 through 28A.165.065, allocations shall be based on the  
4 district percentage of students in grades K-12 who were eligible for  
5 free or reduced-price meals in the prior school year. The minimum  
6 allocation for the program shall provide for each level of prototypical  
7 school resources to provide, on a statewide average, 1.5156 hours per  
8 week in extra instruction with a class size of fifteen learning  
9 assistance program students per teacher.

10 (b) To provide supplemental instruction and services for students  
11 whose primary language is other than English, allocations shall be  
12 based on the head count number of students in each school who are  
13 eligible for and enrolled in the transitional bilingual instruction  
14 program under RCW 28A.180.010 through 28A.180.080. The minimum  
15 allocation for each level of prototypical school shall provide  
16 resources to provide, on a statewide average, 4.7780 hours per week in  
17 extra instruction with fifteen transitional bilingual instruction  
18 program students per teacher. Notwithstanding other provisions of this  
19 subsection (10), the actual per-student allocation may be scaled to  
20 provide a larger allocation for students needing more intensive  
21 intervention and a commensurate reduced allocation for students needing  
22 less intensive intervention, as detailed in the omnibus appropriations  
23 act.

24 (c) To provide additional allocations to support programs for  
25 highly capable students under RCW 28A.185.010 through 28A.185.030,  
26 allocations shall be based on two and three hundred fourteen one-  
27 thousandths percent of each school district's full-time equivalent  
28 basic education enrollment. The minimum allocation for the programs  
29 shall provide resources to provide, on a statewide average, 2.1590  
30 hours per week in extra instruction with fifteen highly capable program  
31 students per teacher.

32 (11) The allocations under subsections (4)(a) and (b), (5), (6),  
33 and (8) of this section shall be enhanced as provided under RCW  
34 28A.150.390 on an excess cost basis to provide supplemental  
35 instructional resources for students with disabilities.

36 (12)(a) For the purposes of allocations for prototypical high  
37 schools and middle schools under subsections (4) and (10) of this  
38 section that are based on the percent of students in the school who are

1 eligible for free and reduced-price meals, the actual percent of such  
2 students in a school shall be adjusted by a factor identified in the  
3 omnibus appropriations act to reflect underreporting of free and  
4 reduced-price meal eligibility among middle and high school students.

5 (b) Allocations or enhancements provided under subsections (4),  
6 (7), and (9) of this section for exploratory and preparatory career and  
7 technical education courses shall be provided only for courses approved  
8 by the office of the superintendent of public instruction under chapter  
9 28A.700 RCW.

10 (13)(a) This formula for distribution of basic education funds  
11 shall be reviewed biennially by the superintendent and governor. The  
12 recommended formula shall be subject to approval, amendment or  
13 rejection by the legislature.

14 (b) In the event the legislature rejects the distribution formula  
15 recommended by the governor, without adopting a new distribution  
16 formula, the distribution formula for the previous school year shall  
17 remain in effect.

18 (c) The enrollment of any district shall be the annual average  
19 number of full-time equivalent students and part-time students as  
20 provided in RCW 28A.150.350, enrolled on the first school day of each  
21 month, including students who are in attendance pursuant to RCW  
22 28A.335.160 and 28A.225.250 who do not reside within the servicing  
23 school district. The definition of full-time equivalent student shall  
24 be determined by rules of the superintendent of public instruction and  
25 shall be included as part of the superintendent's biennial budget  
26 request. The definition shall be based on the minimum instructional  
27 hour offerings required under RCW 28A.150.220. Any revision of the  
28 present definition shall not take effect until approved by the house  
29 ways and means committee and the senate ways and means committee.

30 (d) The office of financial management shall make a monthly review  
31 of the superintendent's reported full-time equivalent students in the  
32 common schools in conjunction with RCW 43.62.050.

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.415  
34 RCW to read as follows:

35 (1) Subject to an appropriation for this specific purpose, the  
36 educator support program is created to provide mentor support to novice  
37 and probationary teachers. The superintendent of public instruction

1 shall provide funding for the components in subsection (2) of this  
2 section and an average of two hours of mentor support per week for  
3 first year and probationary teachers and an average caseload of not  
4 greater than fifteen novice teachers for a full-time mentor. Mentor  
5 support is decreased to an average of one and one-half hours per week  
6 for second year teachers and an average of one hour per week for third-  
7 year teachers, with the mentor caseload adjusted accordingly.

8 (2) The program provided by a district must include: A paid  
9 orientation; assignment of a qualified mentor; development of a  
10 professional growth plan for each beginning teacher aligned with  
11 professional certification; release time for mentors and new teachers  
12 to work together; and teacher observation time with accomplished peers.

13 **Sec. 5.** RCW 28A.165.005 and 2009 c 548 s 701 are each amended to  
14 read as follows:

15 This chapter is designed to: (1) Promote the use of assessment  
16 data when developing programs to assist underachieving students and  
17 students who exhibit behavior that is not conducive to their own  
18 learning or the learning of other students; and (2) guide school  
19 districts in providing the most effective and efficient practices when  
20 implementing supplemental instruction and services to assist  
21 underachieving students.

22 **Sec. 6.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to  
23 read as follows:

24 Unless the context clearly indicates otherwise the definitions in  
25 this section apply throughout this chapter.

26 (1) "Approved program" means a program submitted to and approved by  
27 the office of the superintendent of public instruction and conducted  
28 pursuant to the plan that addresses the required elements as provided  
29 for in this chapter. The approved program must be included on the  
30 inventory of effective practices, activities, and programs developed by  
31 the Washington institute for public policy as provided under section 6  
32 of this act unless the program is approved by the office of the  
33 superintendent of public instruction under section 7 of this act.

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

1 (3) "Participating student" means a student in kindergarten through  
2 grade twelve who:

3 (a) Scores below standard for his or her grade level on the  
4 statewide assessments and who is identified in the approved plan to  
5 receive services; or

6 (b) Has behavior that is not conducive to his or her own learning  
7 or the learning of others and who is not eligible for special education  
8 or related services.

9 (4) "Statewide assessments" means:

10 (a) One or more of the several basic skills assessments  
11 administered as part of the state's student assessment system, and  
12 assessments in the basic skills areas administered by local school  
13 districts; or

14 (b) For students who have behavior problems, an age-appropriate,  
15 research-based, standardized screening to be recommended by the office  
16 of the superintendent of public instruction.

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

20 NEW SECTION. Sec. 7. A new section is added to chapter 28A.165  
21 RCW to read as follows:

22 (1) By August 1, 2014, the Washington institute for public policy  
23 shall prepare an inventory of evidence-based and research-based  
24 effective practices, activities, and programs for use by school  
25 districts in the learning assistance program. The inventory shall be  
26 updated every two years.

27 (2) School districts shall report to the office of the  
28 superintendent of public instruction:

29 (a) Annual entrance and exit data for individual students  
30 participating in the learning assistance program;

31 (b) The amount of academic growth gained by each student and the  
32 number of students that gain at least one year of academic growth; and

33 (c) The specific practices, activities, and programs used by each  
34 school building that receives learning assistance program funding. The  
35 office of the superintendent of public instruction shall develop  
36 standard categories and definitions of the specific practices,  
37 activities, and programs for school district reporting purposes.

1 (3) The office of the superintendent of public instruction shall  
2 use monitoring and quality control procedures designed to measure  
3 school district fidelity in implementing the programs on the inventory.

4 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.165  
5 RCW to read as follows:

6 School districts may use a practice, activity, or program that is  
7 not on the inventory list developed under section 6 of this act for one  
8 school year. If at the end of the school year, the school district can  
9 show that the students in the program experienced an increase in  
10 academic achievement, then the office of the superintendent of public  
11 instruction must approve the program for one additional school year.  
12 Subsequent annual approval by the superintendent's office is dependent  
13 on continued success in increasing academic performance of the students  
14 in the program.

15 **Sec. 9.** RCW 28A.165.025 and 2009 c 556 s 1 are each amended to  
16 read as follows:

17 (1) A participating school district shall submit the district's  
18 plan for using learning assistance funds to the office of the  
19 superintendent of public instruction for approval, to the extent  
20 required under subsection ~~((+2+))~~ (3) of this section. The program  
21 plan must identify the program activities to be implemented from RCW  
22 28A.165.035 and implement all of the elements in (a) through ~~((+h+))~~  
23 (i) of this subsection. The school district plan shall include the  
24 following:

25 (a) District and school-level data on reading, writing, and  
26 mathematics achievement as reported pursuant to chapter 28A.655 RCW and  
27 relevant federal law;

28 (b) Processes used for identifying the underachieving students or  
29 students who have behaviors that are not conducive to their own  
30 learning or the learning of others, to be served by the program,  
31 including the identification of school or program sites providing  
32 program activities;

33 (c) A statement that the program or activities are included on the  
34 inventory referenced in section 6 of this act or meets the exception  
35 provided under section 7 of this act;

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

7        (i) Achievement goals for the students;

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

10       (iii) Communication procedures regarding student accomplishment;

11 and

12       (iv) Plan reviews and adjustments processes;

13       ~~((+d))~~ (e) How state level ~~((and))~~ classroom assessments, or  
14 screening tools recommended by the office of the superintendent of  
15 public instruction are used to inform instruction;

16       ~~((+e))~~ (f) How focused and intentional instructional strategies  
17 including strategies to assist students to identify ways to help  
18 themselves establish a calm, safe, and orderly demeanor have been  
19 identified and implemented;

20       ~~((+f))~~ (g) How highly qualified instructional staff are developed  
21 and supported in the program and in participating schools;

22       ~~((+g))~~ (h) How other federal, state, district, and school  
23 resources are coordinated with school improvement plans and the  
24 district's strategic plan to support underachieving students; and

25       ~~((+h))~~ (i) How a program evaluation will be conducted to determine  
26 direction for the following school year.

27       (2) For students with behaviors that are not conducive to learning,  
28 placement in the program may be temporary and episodic due to adverse  
29 childhood experiences or may be for a full school year.

30       (3) If a school district has received approval of its plan once, it  
31 is not required to submit a plan for approval under RCW 28A.165.045 or  
32 this section unless the district has made a significant change to the  
33 plan. If a district has made a significant change to only a portion of  
34 the plan the district need only submit a description of the changes  
35 made and not the entire plan. Plans or descriptions of changes to the  
36 plan must be submitted by July 1st as required under this section. The  
37 office of the superintendent of public instruction shall establish  
38 guidelines for what a "significant change" is.

1       **Sec. 10.** RCW 28A.165.035 and 2008 c 321 s 4 are each amended to  
2 read as follows:

3       Use of best practices magnifies the opportunities for student  
4 success. The following are services and activities that may be  
5 supported by the learning assistance program:

6       (1) Extended learning time opportunities occurring:

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

8       (b) On Saturday; and

9       (c) Beyond the regular school year;

10       (2) Services under RCW 28A.320.190;

11       (3) Professional development for certificated and classified staff  
12 that focuses on:

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

14       (b) Specific literacy and mathematics content and instructional  
15 strategies; and

16       (c) The use of student work and student behavior to guide effective  
17 instruction and appropriate assistance;

18       (4) Consultant teachers to assist in implementing effective  
19 instructional practices by teachers serving participating students;

20       (5) Tutoring support for participating students; and

21       (6) Research-based outreach activities and support for parents of  
22 participating students, including employing a parent involvement  
23 coordinator as provided in RCW 28A.150.260.

24       **Sec. 11.** RCW 28A.175.025 and 2007 c 408 s 2 are each amended to  
25 read as follows:

26       Subject to the availability of funds appropriated for this purpose,  
27 the office of the superintendent of public instruction shall create a  
28 grant program and award grants to local partnerships of schools,  
29 families, and communities to begin the phase in of a statewide  
30 comprehensive dropout prevention, intervention, and retrieval system.  
31 This program shall be known as the building bridges program.

32       (1) For purposes of RCW 28A.175.025 through 28A.175.075, a  
33 "building bridges program" means a local partnership of schools,  
34 families, and communities that provides all of the following programs  
35 or activities:

36       (a) A system that identifies individual students at risk of  
37 dropping out from middle through high school based on local predictive

1 data, including state assessment data starting in the fourth grade, and  
2 provides timely interventions for such students and for dropouts,  
3 including a plan for educational success as already required by the  
4 student learning plan as defined under RCW 28A.655.061. Students  
5 identified shall include foster care youth, youth involved in the  
6 juvenile justice system, and students receiving special education  
7 services under chapter 28A.155 RCW;

8 (b) Coaches or mentors for students as necessary;

9 (c) Staff responsible for coordination of community partners that  
10 provide a seamless continuum of academic and nonacademic support in  
11 schools and communities;

12 (d) Retrieval or reentry activities; and

13 (e) Alternative educational programming, including, but not limited  
14 to, career and technical education exploratory and preparatory programs  
15 and online learning opportunities.

16 (2) One of the grants awarded under this section shall be for a  
17 two-year demonstration project focusing on providing fifth through  
18 twelfth grade students with a program that utilizes technology and is  
19 integrated with state standards, basic academics, cross-cultural  
20 exposures, and age-appropriate preemployment training. The project  
21 shall:

22 (a) Establish programs in two western Washington and one eastern  
23 Washington urban areas;

24 (b) Identify at-risk students in each of the distinct communities  
25 and populations and implement strategies to close the achievement gap;

26 (c) Collect and report data on participant characteristics and  
27 outcomes of the project, including the characteristics and outcomes  
28 specified under RCW 28A.175.035(1)(e); and

29 (d) Submit a report to the legislature by December 1, 2009.

30 (3) The following school districts shall receive priority when  
31 grants are awarded under this section:

32 (a) School districts that have the highest levels of truancy as  
33 demonstrated by the number of petitions filed in accordance with RCW  
34 28A.225.015 and 28A.225.030;

35 (b) School districts that receive readiness to learn grants in  
36 accordance with RCW 28A.300.555; and

37 (c) Nonprofit organizations engaged in effective programs to lower

1 the dropout rate, engage students in learning, and improve student  
2 achievement.

3 NEW SECTION. Sec. 12. The legislature finds that in the past ten  
4 years, there has been a significant increase in the number of students  
5 who participate in the transitional bilingual program. This  
6 demographic shift requires changes in the services and support provided  
7 in schools to ensure the success of each and every student, including  
8 addressing the students' cultures and linguistic needs. The  
9 legislature further finds that there are successful partnerships  
10 between institutions of higher education and school districts that are  
11 increasing the ability for educators to work effectively with English  
12 language learners and are models for providing job-embedded training in  
13 classrooms with greater than fifteen percent English language learners,  
14 including training regarding language acquisition; appropriate  
15 assessment of student language proficiency, including academic  
16 achievement and social language; and cultural competence training. The  
17 legislature intends to build on the success of these partnerships and  
18 provide training in other districts based upon the level of language  
19 diversity of the students in the district.

20 NEW SECTION. Sec. 13. A new section is added to chapter 28A.180  
21 RCW to read as follows:

22 (1) School districts with more than fifteen percent language  
23 diversity in the student population must be allocated funding to  
24 provide research-based professional development to all educators in the  
25 school on successful, best practice strategies for English language  
26 learner instruction. The professional development strategies must be  
27 one developed or identified by the office of the superintendent of  
28 public instruction under subsection (2) of this section.

29 (2) The office of the superintendent of public instruction shall:

30 (a) Develop or identify research-based or evidence-based  
31 professional development of effective professional development  
32 strategies for English language learner instruction; and

33 (b) Adopt rules necessary to implement this section.

34 NEW SECTION. Sec. 14. A new section is added to chapter 28A.180  
35 RCW to read as follows:

1 (1) Beginning in the 2013-14 school year and thereafter, funding  
2 for the transitional bilingual instruction program shall be scaled to  
3 provide more support to students requiring the most intensive  
4 intervention and less support to students requiring less intervention,  
5 as specified in the omnibus appropriations act.

6 (2) Beginning in the 2014-15 school year and thereafter, additional  
7 funding shall be provided in the omnibus appropriations act for  
8 students who exit the program the previous year. The additional  
9 funding shall be used to provide academic support for students who have  
10 exited the transitional bilingual instruction program, if needed, or  
11 the school district shall use this funding within the transitional  
12 bilingual instruction program. The funding provided under this  
13 subsection is not a component of the basic education program and does  
14 not represent an individual entitlement to any particular student.

15 NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.630  
16 RCW to read as follows:

17 (1) Better decisions require better information. The office of the  
18 superintendent of public instruction shall create a pilot program with  
19 one school district and provide support for the district to use  
20 longitudinal data.

21 (2) The purposes of the program are as follows:

22 (a) To enhance the ability of the school district to efficiently  
23 and accurately manage, analyze, and use education data, including  
24 individual student records and program and funding information;

25 (b) To enable the school district to make data-informed decisions  
26 to improve student learning and outcomes and close achievement gaps.

27 (3) This section expires December 1, 2017.

28 NEW SECTION. **Sec. 16.** A new section is added to chapter 43.09 RCW  
29 to read as follows:

30 Audits of school districts by the state auditor shall include, but  
31 not be limited to, findings determining the compliance of school  
32 districts regarding the expenditure and the reporting of the  
33 expenditure of the state funds provided for parent involvement  
34 coordinators and parent involvement programs funded under RCW

1 28A.150.260.

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