AN ACT Relating to establishing accountability for student performance in reading; amending RCW 43.215.410, 28A.165.025, and 28A.165.035; adding a new section to chapter 28A.415 RCW; adding a new section to chapter 28A.165 RCW; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.655 RCW; and creating a new section.

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

NEW SECTION. **Sec. 1.** (1) The legislature finds that research consistently shows that state investments in high-quality early learning programs have a powerful positive impact on young learners. Studies have confirmed that participation in high-quality early learning programs improves early language and literacy skills, especially for children who are considered to be at-risk. The legislature intends to increase access for young learners to the high quality early childhood education and assistance program by increasing funding to allow more children to participate.

(2) The legislature also finds that significant state investments have been and will be made to support a continuum of learning from prekindergarten through third grade, including through early learning

programs, statewide implementation of full-day kindergarten, and reduced class sizes in grades kindergarten through three. These investments reflect the importance of providing young children with the best possible opportunities to develop foundational knowledge and skills, particularly in the critical area of English language arts. The investments also reflect the legislature's recognition that early intervention represents the best hope of eliminating the educational opportunity gap among groups of students.

(3) The legislature also finds that such investments and the state's commitment to prekindergarten through third grade learning warrant an accountability mechanism to ensure positive student outcomes. School districts should be required to provide intensive remediation if student performance in English language arts continues to fall below grade level after completion of third grade. Furthermore, statewide implementation of aligned curriculum, instruction, and assessments associated with the common core state standards provides a timely opportunity to initiate this accountability mechanism.

(4) The legislature recognizes that the learning assistance program is a supplemental education program that falls within the definition of basic education. The purpose of the learning assistance program is to provide students who are underachieving students with the greatest academic deficits in basic skills with supplemental education in order to provide them access to the program of basic education. The legislature intends to focus the learning assistance program on the individual reading needs of the youngest learners in grades kindergarten through three and to emphasize the remediation for reading and reading readiness skills since reading proficiency is a crucial element for student academic success.

Sec. 2. RCW 43.215.410 and 2006 c 265 s 211 are each amended to read as follows:

(1) The department shall administer a state-supported early childhood education and assistance program to assist eligible children with educational, social, health, nutritional, and cultural development to enhance their opportunity for success in the common school system. Eligible children shall be admitted to approved early childhood programs to the extent that the legislature provides funds, and

additional eligible children may be admitted to the extent that grants and contributions from community sources provide sufficient funds for a program equivalent to that supported by state funds.

(2) The department of early learning shall expand the early childhood education and assistance program to serve more children in the 2013-2015 fiscal biennium, subject to funds being appropriated for this purpose.

NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.415 RCW to read as follows:

(1) High-quality professional development strategies are essential to school and student success. Educators must keep abreast of the important advances that are occurring in education through professional development. Professional development is especially important in the instruction of young readers since reading proficiency is a crucial element for student academic success.

(2) Subject to appropriations made for this purpose, targeted, research-based professional development programs are authorized to further the development of outstanding reading teaching and learning opportunities. The office of the superintendent of public instruction shall create partnerships with the educational service districts or public or private institutions of higher education with approved educator preparation programs to develop and deliver professional development learning opportunities in reading instruction for K-3 teachers.

Sec. 4. RCW 28A.165.025 and 2009 c 556 s 1 are each amended to read as follows:

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

(a) A focus on first addressing the needs of students in grades kindergarten through three who are deficient in reading or reading readiness skills;

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

((~~(b)~~)) (c) Processes used for identifying the underachieving students to be served by the program, including the identification of school or program sites providing program activities;

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

(i) Achievement goals for the students;

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

(iii) Communication procedures regarding student accomplishment; and

(iv) Plan reviews and adjustments processes;

((~~(d)~~)) (e) How state level and classroom assessments are used to inform instruction;

((~~(e)~~)) (f) How focused and intentional instructional strategies have been identified and implemented;

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

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

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

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

Sec. 5. RCW 28A.165.035 and 2008 c 321 s 4 are each amended to read as follows:

(1) School districts shall place special emphasis on first addressing the needs of students in kindergarten through grade three who are deficient in reading or reading readiness skills.

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

((~~(1)~~)) (a) Extended learning time opportunities occurring:

((~~(a)~~)) (i) Before or after the regular school day;

((~~(b)~~)) (ii) On Saturday; and

((~~(c)~~)) (iii) Beyond the regular school year;

((~~(2)~~)) (b) Services under RCW 28A.320.190;

((~~(3)~~)) (c) Professional development for certificated and classified staff that focuses on:

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

((~~(b)~~)) (ii) Specific literacy and mathematics content and instructional strategies; and

((~~(c)~~)) (iii) The use of student work to guide effective instruction;

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

((~~(5)~~)) (e) Tutoring support for participating students; and

((~~(6)~~)) (f) Outreach activities and support for parents of participating students, with a special focus and emphasis on parents of participating students in kindergarten through grade three who are deficient in reading or reading readiness skills.

NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.165 RCW to read as follows:

(1) Beginning August 1, 2013, and each August 1st thereafter, school districts shall report to the office of the superintendent of public instruction:

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

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

(c) The specific practices, activities, and programs used by each school building that receive learning assistance program funding.

(2) The office of the superintendent of public instruction shall compile the school district data and report annual and longitudinal gains for the specific practices, activities, and programs used by the school districts to show which are the most effective.

NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) National research consistently shows that when a student's family is actively involved in the student's education then the student's rates of academic achievement increase. Therefore, each school district shall require that each report card of every student in kindergarten through fourth grade include information regarding how a student is progressing on acquiring reading skills and whether a student is at grade level in reading. If a student is not at or above grade level, the teacher must explain to the parent or guardian what interventions and strategies will be used to help the student improve the student's reading skills and provide strategies for the parents to assist the student to improve the student's reading skills at home.

(2) Each school shall report to the school district the number of students in grades kindergarten through three that are reading below grade level and the interventions that are being provided to improve the reading skills of the students. The school district shall aggregate the reports from the schools and provide the reports to the office of the superintendent of public instruction. The information provided to the superintendent of public instruction shall be disaggregated by subgroups of students and reported to appropriate committees of the legislature and the educational opportunity gap oversight and accountability committee.

NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) The definitions in this subsection apply throughout this section unless the context clearly requires otherwise.

(a) "Basic" means a score on the statewide student assessment at a level two in a four-level scoring system.

(b) "Below basic" means a score on the statewide student assessment at a level one in a four-level scoring system.

(c) "Not meet the state standard" means a score on the statewide student assessment at either a level one or a level two in a four-level scoring system.

(2)(a) Beginning in the 2015-16 school year, if a student receives a score of below basic on the third grade statewide student assessment in English language arts, a meeting shall automatically be required between the student's parent or guardian, teacher, and the principal of the school the student attends to discuss the appropriate placement and remedial strategies for the student to improve the student's reading skills. The options for placement shall include retention in the third grade; or promotion to fourth grade with an intensive remedial summer program provided, supported, or contracted by the school district and identified as appropriately meeting the reading needs of the student.

(b) Following participation in a district summer program or other remedial summer option, the third grade English language arts assessment shall be readministered and a follow-up meeting with the student's parent or guardian, summer instructor, and principal shall occur.

(3) If a student does not have a score in English language arts on the third grade statewide student assessment but the district determines, using district or classroom-based diagnostic assessments or another standardized assessment, that the student's performance is equivalent to below basic in English language arts, the policy in subsection (2) of this section applies.

(4) A school district must provide written notification of assessment results to all parents or guardians of third grade students taking the English language arts assessment. If the child did not meet the state standard, the notification must provide information about strategies for the parents or guardians to assist the student to improve the student's reading skills at home, and the need for a meeting to discuss the student's grade placement and remediation options.

NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.655 RCW to read as follows:

A school district may exempt the following students from the process and notification required under section 8 of this act:

(1) Students who participate in the statewide student assessment system through an alternate assessment designed for students with significant cognitive disabilities;

(2) Students with disabilities whose individualized education program includes specially designed instruction in English language arts, and whose individualized education program team determines that retention in third grade is not an appropriate educational placement; and

(3) Students who are English language learners who have been enrolled in the transitional bilingual instructional program under chapter 28A.180 RCW for two or fewer years.

NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.655 RCW to read as follows:

(1) Beginning in the 2016-17 school year, a school district must provide the following remediation for any student who did not meet the state standard on the third grade statewide assessment in English language arts in the previous school year:

(a) A minimum of ninety minutes of daily, research-based instruction in English language arts;

(b) Small group instruction or reduced teacher-to-student ratios;

(c) Supplemental tutoring; and

(d) Use of diagnostic assessments to identify specific skills where the student needs assistance and other formative assessments to monitor student progress during the school year.

(2) To implement the remediation provided under this section and section 8 of this act, school districts may use state funds provided for basic education through general apportionment or the learning assistance program, state and federal funds for the transitional bilingual instructional program for students eligible for and enrolled in the program, state and federal funds for special education for students with disabilities, federal funds from Title I of the elementary and secondary education act, or any other state, federal, local, or private funds available generally or specifically to support

student learning in English language arts.

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