AN ACT Relating to extended learning opportunities and instructional support for English language learners, low-income students, and students with learning disabilities; adding new sections to chapter 28A.320 RCW; adding new sections to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; creating new sections; and providing expiration dates.

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

NEW SECTION. Sec. 1. The legislature finds that high school students need to graduate with the skills necessary to be successful in college and work. The state graduation requirements help to ensure that Washington high school graduates have the basic skills to be competitive in a global economy. Under education reform started in 1993, time was to be the variable, obtaining the skills was to be the constant. Therefore, students who need additional time to gain the academic skills needed for college and the workplace should have the opportunities they need to reach high academic achievement, even if that takes more than the standard four years of high school.

Different students face different challenges and barriers to their academic success. There are one thousand two hundred eighty-eight
English language learners in the class of 2008 who have not met the state reading or writing content area, or both, on the Washington assessment of student learning. There are four thousand nine hundred eighty-eight low-income students in the class of 2008 who have not met the state reading or writing content area, or both, on the Washington assessment of student learning. There are an unknown number of students with disabilities in the class of 2008 who have not met the state reading or writing content area, or both, on the Washington assessment of student learning. The legislature finds that many struggling students need additional time and support to achieve academic proficiency and meet graduation requirements.

**PART I**

**EXTENDED LEARNING OPPORTUNITIES**

**NEW SECTION. Sec. 101.** A new section is added to chapter 28A.320 RCW to read as follows:

(1) The extended learning opportunities program is created for eligible eleventh and twelfth grade students who are not on track to meet local or state graduation requirements as well as eighth grade students who are not on track to meet the standard on the Washington assessment of student learning and need additional assistance in order to have the opportunity for a successful entry into high school. The program shall provide early notification of graduation status, information on education opportunities, and incentives for new district programs.

(2) Schools shall notify eligible students and their parents or legal guardians about the status of their progress on state and local graduation requirements, the alternative assessment opportunities available to students under RCW 28A.655.061 and 28A.655.065, and regarding continued instructional services identified in section 102 of this act. Information provided to students must include:

(a) Any credit deficiencies;

(b) Whether they have completed other graduation requirements established by the state board of education or the legislature;

(c) If the student is in a transitional bilingual program, the score on his or her Washington language proficiency test II;
(d) Remediation strategies and alternative education options available to students including, but not limited to, informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one. This may include:

(i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements;

(ii) Available programs offered through skill centers or community or technical colleges.

(3) Notification of information in subsection (2) of this section shall occur three times. Notification shall occur twice for students not on track to meet state and local graduation requirements and once for students not on track to meet the standard on the Washington assessment of student learning or to successfully enter high school. The first notification shall take place in the spring of the student’s eighth grade year and the second notification shall take place in the spring of the eleventh grade year and then, if necessary, the spring of the twelfth grade year. Schools may notify students and their parents or guardians through school conferences, written notification, or in the student learning plan identified under RCW 28A.655.061. Schools serving English language learners and their parents shall translate information in the primary language of the family to the extent feasible. Notifications shall begin with the graduating class of 2008.

NEW SECTION. Sec. 102. A new section is added to chapter 28A.320 RCW to read as follows:

(1) Districts shall make available to students in grade twelve who have failed to meet one or more local or state graduation requirements the option of continuing enrollment in the school district in accordance with RCW 28A.225.160. Districts are authorized to use basic education program funding to provide instruction to eligible students under RCW 28A.150.220(3).

(2) Instructional services can occur during the regular school day, evenings, on weekends, or at a time and location deemed appropriate by the school district in order to meet the needs of these students. Instructional services can include, but are not limited to, the following:

(a) Individual or small group instruction;
(b) Instruction in English language arts and/or mathematics that eligible students need to pass all or part of the Washington assessment of student learning;

(c) Attendance in high school or alternative school classes or at a skill center;

(d) Inclusion in remediation programs, including summer school;

(e) Language development instruction for English language learners; and/or

(f) Online curriculum and instructional support, including programs for credit retrieval and Washington assessment of student learning preparatory classes.

(3) The office of the superintendent of public instruction, to the extent that funding is appropriated, shall create a planning grant program for school districts, educational service districts, and other community programs that want to expand the availability of programs designed specifically for these students. Grants shall be used only for planning and start-up costs associated with services to eligible students. Applicants with a significant population of free and reduced-price lunch students, English language learners, and students with a learning disability shall be given priority.

PART II

INSTRUCTIONAL SUPPORT FOR ENGLISH LANGUAGE LEARNERS

NEW SECTION. Sec. 201. A new section is added to chapter 28A.630 RCW to read as follows:

(1) Subject to funds appropriated for this purpose, the secondary integrated basic education and skills training (I-BEST) pilot project is created to integrate career and technical instruction, core academic and basic skills, and English as a second language, for secondary school students. The objective of the pilot project is to determine whether and how a successful community and technical college instructional model can be adapted and implemented at a secondary school level.

(2) The goal of secondary I-BEST is to enable and motivate secondary students who are struggling with language and academic skills to earn a high school diploma and be prepared for workforce entry or further education and training in a career and technical field. Under
the pilot project, academic, career and technical, and English-as-a
second-language teachers shall provide instruction through team and
coteaching. Course content shall be integrated across the three
domains of career and technical, academic, and language.

(3) The office of the superintendent of public instruction shall
allocate pilot project grants to high schools or skill centers on a
competitive basis. Grants are for a three-year period. The office of
the superintendent of public instruction shall work with the state
board for community and technical colleges, grant recipients, and the
Washington State University social and economic sciences research
center to design and implement an evaluation of the pilot project that
includes comparisons of gains in achievement for students in the
project compared to other similar students. A report on the pilot
project and results of the evaluation shall be submitted to the
governor and the education and fiscal committees of the legislature by
December 1, 2010.

(4) The state board for community and technical colleges shall
provide technical assistance and advice to the office of the
superintendent of public instruction and the pilot project regarding
best practices for I-BEST, including program design, professional
development, assessment, and evaluation. The state board shall also
designate one or more community or technical colleges with exemplary
postsecondary I-BEST programs to serve as mentors for the pilot
project.

(5) This section expires June 30, 2012.

NEW SECTION. Sec. 202. A new section is added to chapter 28A.630
RCW to read as follows:

(1) Since more than sixty percent of English language learners are
Spanish speakers but very few teachers in Washington state are
bilingual, the legislature intends to expand access to online
curriculum support in at least Spanish. Students, especially twelfth
grade students who have not met state graduation requirements, needing
additional academic support can access this online curriculum.

(2) If funding is provided for this purpose, the office of the
superintendent of public instruction shall contract with Yakima school
district to expand the consejo nacional educativa para la vida y el
trabajo (CONEVyT) online instructional program, developed by the Mexican education department, to other school districts. Services to districts shall include, but not be limited to:

(a) Training for teachers on how to use CONEVyT to support classroom instruction; and

(b) Technical assistance on accessing the CONEVyT portal and the features available on the web site.

(3) The office of the superintendent of public instruction, if funded, shall assemble a work group of curriculum and Spanish language experts to review courses offered through CONEVyT and those courses to state standards. The office of the superintendent of public instruction shall make the results of the standards alignment available to school districts by July 2009.

(4) The office of the superintendent of public instruction, if funded, shall contract for a third party review of the effectiveness of the CONEVyT program. The program review shall be submitted to appropriate committees of the legislature by December 1, 2010.

(5) If funding is provided for this purpose, the office of the superintendent of public instruction shall explore other online curriculum support currently available in languages other than English or Spanish. By December 1, 2008, the office of the superintendent of public instruction shall report to the appropriate committees of the legislature recommendations for other online support in other languages that would most appropriately assist Washington's English language learners whose first language is not Spanish. Included in the recommendations shall be the actions that would need to be taken to access the recommended online support and the cost.

(6) This section expires June 30, 2012.

NEW SECTION. Sec. 203. A new section is added to chapter 28A.300 RCW to read as follows:

(1) The legislature finds that educators are faced with the complex responsibility of educating an increasing population of English language learners who speak a wide variety of languages and dialects and may come with varying levels of formal schooling, students who come from low-income households, and students who have learning disabilities. These educators struggle to provide meaningful instruction that helps students meet high content standards while
overcoming their challenges. Therefore the legislature finds that educators need professional development focused on effective strategies for instruction of struggling students.

(2) Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall develop a professional development plan specific to educators of English language learners, a plan for educators of low-income students, and a plan for educators of students with learning disabilities.

(a) The plan for English language instruction shall use the findings identified by the Northwest regional educational laboratory field study report required in RCW 28A.630.058. The professional development plan for English language instruction shall identify:

(i) Foundational competencies for development of academic English skills in English language learner students that all teachers should acquire in initial teacher preparation programs;

(ii) Components of a professional development program that build classroom teacher competence for developing academic English skills in English language learner students; and

(iii) Job-embedded practices that connect the English language learner teacher and classroom teachers to coordinate instruction to support the work of the student.

(b) The professional development plan for low-income students shall identify:

(i) Foundational competencies for development of academic skills in low-income students that all teachers should acquire in initial teacher preparation programs;

(ii) Components of a professional development program that build classroom teacher competence for developing academic skills in low-income students; and

(iii) Job-embedded practices that connect classroom teachers with other educators assisting the low-income student to coordinate instruction to support the work of the student.

(c) The professional development plan for students with a learning disability shall identify:

(i) Foundational competencies for development of academic skills in students with a learning disability that all teachers should acquire in initial teacher preparation programs;
(ii) Components of a professional development program that build classroom teacher competence for developing academic skills in students with a learning disability; and

(iii) Job-embedded practices that connect classroom teachers with other educators assisting the student with a learning disability to coordinate instruction to support the work of the student.

(3) The superintendent of public instruction shall complete the plans in this section by December 1, 2009.

PART III

MISCELLANEOUS PROVISIONS

NEW SECTION. Sec. 301. Part headings used in this act are not any part of the law.

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