
SENATE BILL 5248

State of Washington

68th Legislature

2023 Regular Session

By Senators Braun and Mullet

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

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

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

11 (2) The legislature recognizes that the American rescue plan act
12 of 2021, P.L. 117-2, requires school districts to allocate at least
13 20 percent of elementary and secondary school emergency relief funds
14 toward learning recovery efforts. The American rescue plan act also
15 requires state educational agencies to use at least 5 percent of this
16 funding on learning recovery. The legislature believes that even more
17 of this funding should be used to address learning loss due to
18 COVID-19.

19 (3) The legislature further recognizes that it directed the
20 office of the superintendent of public instruction to use a portion
21 of this COVID-19 relief funding to administer grants for the purposes

1 of learning recovery and acceleration in the 2021-2023 omnibus
2 operating appropriations act. This funding can only be used in
3 certain ways including one-on-one and small group instruction and
4 other intensive learning supports. The legislature believes that
5 targeted high quality tutoring and rigorous extended learning
6 programs are the two most effective ways to spend this funding. The
7 legislature intends to reappropriate the remaining funds from this
8 grant program to these two effective methods for addressing learning
9 recovery and acceleration.

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

20 NEW SECTION. **Sec. 2.** (1) The office of the superintendent of
21 public instruction must administer grants for the purposes of
22 learning recovery and acceleration.

23 (2) Allowable uses of the funds are limited to targeted high
24 quality tutoring and rigorous extended learning programs.

25 (3) The sum of \$46,570,000, or as much thereof as may be
26 necessary, is appropriated for the fiscal biennium ending June 30,
27 2025, from the elementary and secondary school emergency relief III
28 federal account to the office of the superintendent of public
29 instruction for the purposes of this section.

30 (4) This section expires December 31, 2024.

31 NEW SECTION. **Sec. 3.** (1) Subject to the availability of amounts
32 appropriated for this specific purpose, the office of the
33 superintendent of public instruction must establish the state
34 matching grant program for learning recovery and acceleration.

35 (2) The purpose of the grant program is to provide state matching
36 funds to schools and school districts that choose to use the
37 elementary and secondary school emergency relief III federal account
38 subgrant allocations attributable to section 2001(e)(2) of the

1 American rescue plan act of 2021, P.L. 117-2 on targeted high quality
2 tutoring and rigorous extended learning programs.

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

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

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

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

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

22 (6) This section expires December 31, 2024.

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