

SENATE BILL REPORT

ESHB 1329

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 8, 1991

Brief Description: Authorizing special educational services demonstration projects.

SPONSORS: House Committee on Education (originally sponsored by Representatives H. Sommers, Holland, Locke, Silver, Brekke, Peery, Ebersole, Fuhrman, Cole, Phillips and R. King; by request of Legislative Budget Committee).

HOUSE COMMITTEE ON EDUCATION

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Bailey, Chairman; Erwin, Vice Chairman; Anderson, Craswell, Metcalf, Murray, Oke, Pelz, and Rinehart.

Minority Report: Do not pass as amended and do not be referred to Committee on Ways & Means.

Signed by Senator Talmadge.

Staff: Leslie Goldstein (786-7424)

Hearing Dates: April 1, 1991; April 4, 1991

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Education.

Signed by Senators McDonald, Chairman; Craswell, Vice Chairman; Bailey, Bauer, Bluechel, Gaspard, Johnson, L. Kreidler, Metcalf, Murray, Newhouse, Niemi, Owen, Rinehart, Saling, L. Smith, West, Williams, and Wojahn.

Staff: Bill Freund (786-7715)

Hearing Dates: April 8, 1991

BACKGROUND:

The Legislative Budget Committee has reviewed and issued a report regarding students in the learning disabled (LD) category of special education. Specifically, they looked at the cost of identifying LD students, means of determining program eligibility, effectiveness of services, and student characteristics. The Legislative Budget Committee concluded that:

- 1) The assessment process for identifying students as LD is expensive and has little diagnostic or programmatic value. The process absorbs resources that could be spent on instruction.
- 2) Programs for LD and other mildly handicapped students provide little information on student outcomes or program effectiveness.
- 3) Many students identified as LD are educationally similar to low-achieving students in other categorical programs.

SUMMARY:

The intent of the bill is to encourage school districts to develop innovative special services demonstration projects that use resources efficiently and increase student learning.

Selection Advisory Committee: A Selection Advisory Committee (composed of representatives from the House, Senate, Superintendent of Public Instruction, Office of Financial Management, the Washington Special Education Coalition, and the Washington Education Association) does the following:

- a) Develops the criteria for selecting demonstration projects;
- b) Issues requests for proposals to the school districts applying for the demonstration projects;
- c) Reviews the proposals and recommends prospective demonstration projects for approval by the Superintendent of Public Instruction (SPI); and
- d) Reports annually on the status of the demonstration projects to the Legislative Budget Committee and the appropriate policy and fiscal committees of the House and Senate.

Staff for the advisory committee is provided by the Legislative Budget Committee and the Superintendent of Public Instruction.

Superintendent of Public Instruction: The Superintendent of Public Instruction (SPI) is responsible for:

- a) Making 10-25 awards for demonstration projects in individual school districts and cooperatives and for in-service training;
- b) Providing technical assistance;
- c) Granting waivers;
- d) Contracting with participating school districts and making contract payments;

- e) Evaluating the projects or by contract after conferring with the Selection Advisory Committee on the evaluation design; and
- f) Reporting to the Legislature by December 31, 1991 (interim report) and by December 31, 1995 (final report).

Funding: Project funding may include state, federal, and local funds and is to be specified by the district in its project cost proposal and negotiated in the project contract. SPI shall include all project funding in a project contract and disburse the funds as contract payments.

With respect to state funding, the state handicapped funding, learning assistance program (LAP) funding, and transitional bilingual program funding allocated for the students served in the demonstration projects are included in the project funding.

The state handicapped funding is based on the average percentage of the kindergarten through 12th grade enrollment in the particular handicapped category during the two years before the award, unless the school district participated in the 1989 Pilot Project for the Prevention of Learning Disabilities. Project funding for school districts that participated in the 1989 Pilot Project is based on 4 percent of the kindergarten through 12th grade enrollment considered as specific learning disabled, without regard to the actual number of students so identified.

The percentages used for the state handicapped funding to the demonstration projects will be used to adjust basic education allocations under RCW 28A.150.260 and learning assistance program allocations under RCW 28A.165.070. LAP allocations and bilingual program allocations are calculated for project districts according to the funding formula in use for other districts.

State funds can be used both for categorical and noncategorical purposes. State handicapped funds up to the level required by federal maintenance of effort rules are required to be spent for services to handicapped students in the project. Allocations greater than the amount needed to comply with federal maintenance of effort rules are designated in whole or in part as noncategorical project funds and may be expended on services to any students served in the project. Allocation increases in the LAP and bilingual funds above the fiscal year 1992 amount are to be designated in whole or in part as noncategorical project funds and may be expended on services to any student served in the project. SPI is required to create new and discrete program or subprogram codes for the expenditures of noncategorical project funds, to be effective by September 1, 1991.

Funding under the federal elementary and secondary school improvement amendments may be designated in whole or in part by a project district for project use and both federal handicapped funds and local funding may also be designated by

a project district for project use if the amounts are justified in the district's cost proposal and included in the contract amount.

The bill is null and void unless funding is provided in the budget.

Expiration: The provisions of the bill will expire January 1, 1996.

Appropriation: none

Revenue: none

Fiscal Note: requested for substitute February 13, 1991

SUMMARY OF PROPOSED SENATE AMENDMENT:

A member representing transitional bilingual educators is added to the task force.

An internal reference is corrected. The bill takes effect immediately upon the Governor's signature rather than July 1, 1991 if funding is provided in the budget.

TESTIMONY FOR:

Under the current system, there is too much time and money spent collecting data and not enough time and money spent helping kids. The bill will result in less labelling and assessment and more teaching and learning. The bill will encourage innovation in special services. Providing and funding staff development is an important component.

TESTIMONY AGAINST: None

TESTIFIED (Education): PRO: Brian Benzel, Edmonds School District; Dwayne Slate, Washington State School Directors' Association; Matt Temmel, Legislative Budget Committee; June Leonard, Seattle School District; Christi Perkins, Washington State Special Education Coalition

TESTIFIED (Ways & Means): PRO: Christie Perkins, Washington State Special Education Coalition; Cecile Lindquist, DRIC and the Assembly; Stillman Wood, Olympia Public Schools; Dwayne Slate, Washington State School Directors' Association