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**Education Committee**

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**HB 1807**

**Brief Description:** Improving student achievement and accountability.

**Sponsors:** Representatives Talcott, Moeller, Tom, Anderson, Schindler, Ahern and Holmquist.

**Brief Summary of Bill**

- Increases school district flexibility in using money from the Learning Assistance Program and the Student Achievement Account.
- Increases the number of statutory remedies available to the Office of Superintendent of Public Instruction to use with schools and school districts in school improvement and corrective action.
- Adopts many of the school improvement and corrective action remedies proposed in the federal "No Child Left Behind Act of 2001."

**Hearing Date:** 2/19/03

**Staff:** Susan Morrissey (786-7111).

**Background:**

Learning Assistance Program

Washington's Learning Assistance Program (LAP) has been in operation for about 22 years. The program is designed to help students in kindergarten through ninth grade who need additional time and assistance to achieve basic skills in reading, mathematics and language arts. Schools districts apply to the office of the Superintendent of Public Instruction (OSPI) for program funds. OSPI must approve the districts' program plan before any funds are released. The plan may include a variety of activities and services targeted to struggling students. However, it must include the following activities: consulting teachers, instructional support staff, in-service training for classroom teachers and parents, tutoring assistance, counseling services, and special instructional programs.

Since the second Doran decision in 1983, funding for the LAP has been considered part of

the State's basic education program. Program funds are allocated to school districts using a formula that includes both student achievement on norm-references tests and a poverty factor. The formula is included in the State's biennial budget. Once the districts have received the funding, they may distribute it as necessary to assist eligible low-performing students anywhere in their districts.

### Student Achievement Funds (I-728)

In 2001, the voters approved Initiative 728, an act creating a student achievement fund. The initiative included a funding formula per student and a list of permissible uses of monies in the fund. Monies from the fund are distributed to school districts on a per pupil basis. For the 2002-2003 school year, school districts received about \$220 per student from the fund. The funds may be used to reduce class size or pay for facilities associated with class size reductions. It may also be used to provide professional development, extended learning and early learning opportunities.

### Accountability

Under the federal "No Child Left Behind Act of 2001" (NCLB) each school and school district must ensure that all students, including disadvantaged students, are making adequate yearly progress (AYP) at a pace that will allow all students to meet state academic standards in 12 years. Schools must also look at graduation rates for secondary students and one additional measurable indicator for elementary students, as indicated by OSPI. The results for all districts and for the state must be reported.

Under the federal law, **Title I schools and districts** which do not achieve AYP will be identified for the following actions:

**School Improvement:** If a Title I school or district does not make AYP for 2 consecutive years, it will be identified as needing improvement and will become eligible for federal assistance funds. The list of the identified schools must be made public and each identified school or district must develop an improvement plan. The district must offer all students in the failing school or district the option to transfer, with transportation provided by the district. After one year, if the school is still not making AYP, the district must provide supplemental educational services to low income students from an OSPI approved provider, chosen by the parents.

**Corrective Action:** If a Title I school or district in improvement does not make AYP for 2 consecutive years, the district must continue to provide supplemental services and the option for students to transfer to another school with transportation provided. In addition, at least one of the following corrective actions (consistent with State law) must be taken:

### Corrective Actions for Title I Schools (consistent with State law)

1. Replace school staff
2. Implement a new curriculum, including providing professional development for staff
3. Significantly decrease school level management authority

4. Provide an outside expert to advise the school
5. Extend the school year or school day
6. Change the school's internal organization
7. Provide public notice of schools in corrective action.

#### Corrective Actions for Title I Districts (consistent with State law)

1. Defer or reduce federal funding
2. Implement a new curriculum, including providing professional development for staff
3. Replace district personnel
4. Remove schools from district jurisdiction
5. Appoint a receiver or trustee to administer the district business in place of the superintendent and the school board.
6. Abolish or restructure the school district

**Restructuring:** If a Title I school in corrective action does not make AYP after one year then the district must continue to provide supplemental services and the option for students to transfer to another school. In addition, the district must implement an alternative governance model that includes one of the following measures: (consistent with State law)

1. Reopening school as a public charter school
2. Replacing all or most of the school staff, including the principal
3. Contract with an entity to operate the school
4. State take-over
5. Other major restructuring of the school's governance

**Release:** If an identified Title I school or district makes AYP for 2 consecutive years then it is released from improvement, corrective action or restructuring.

#### **Summary of Bill:**

##### Learning Assistance Program

Current law is modified to remove the required uses of program funding. School districts are permitted to use LAP funding for services and activities that emphasize best practices, research based activities, and instructional techniques that have been proven effective in raising student achievement. The funding formula for the program will be based on student enrollment, weighted by a poverty factor. School districts are encouraged to provide the schools in their districts with stable funding from the program and to refrain from reducing funding when a school meets achievement and improvement goals. Students in kindergarten through grade twelve may participate in the program. Finally, the definition of basic skills test is modified.

##### Student Achievement Funds

School districts retain the authority to use student achievement funds to help students achieve

or exceed the state's academic standards. The statutory list that limits the way the funds may be used is removed.

### Accountability

**School Improvement:** When a school or district is identified for school improvement under state or federal law, the school district will make the list of identified schools public and help the school or district perform an educational audit and develop or revise an improvement plan. In addition, the district will approve the plan, and offer students in the identified school or district an opportunity to go to another school or district, with transportation paid by the home district. Subject to funding, supplemental services will also be provided to eligible students.

**Corrective Action:** When a school is identified for corrective action under state or federal law, the OSPI will work with the school and district to implement one or more of the following actions, in addition to the activities under school improvement:

1. Replace school staff
2. Implement a new curriculum, including providing professional development for staff
3. Significantly decrease school level management authority
4. Provide an outside expert to advise the school
5. Extend the school year or school day
6. Change the school's internal organization or
7. Provide public notice of schools in corrective action.

When a school district is identified for corrective action under state or federal law, in addition to the activities under school improvement, the OSPI will work with the district to implement one or more of the following actions:

1. Defer or reduce federal funding
2. Implement a new curriculum, including providing professional development for staff  
or
3. Replace district personnel

Beginning January 1, 2004, school boards may not extend or enter a contract or agreement that prevents any statutorily permissible actions for schools or districts that have been identified for school improvement or corrective action.

The Academic Achievement and Accountability Commission (A+ Commission) may identify schools and districts for school improvement and corrective action rather than intervention. Language in current law that prevents any intervention before the legislature has authorized a set of intervention strategies is removed. In addition, the OSPI is authorized to withhold, reduce, or defer some or all federal and non-basic education state funds from a school district in corrective action.

**Appropriation:** None.

**Fiscal Note:** Requested on 2/14/03.

**Effective Date:** The bill takes effect ninety days after adjournment of session in which bill is passed.