

HOUSE BILL REPORT

2ESHB 1989

As Passed House:

January 21, 2004

Title: An act relating to the learning assistance program.

Brief Description: Changing the learning assistance program.

Sponsors: By House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Hunter, Kenney and Rockefeller; by request of Governor Locke).

Brief History:

Committee Activity:

Education: 2/26/03, 3/5/03 [DPS].

First Special Session

Floor Activity:

Passed House: 6/5/03, 97-0.

Senate Amended.

Passed Senate: 6/10/03, 40-2.

Floor Activity:

Passed House: 1/21/04, 89-8.

Brief Summary of Second Engrossed Substitute Bill

- Refocuses the state's Learning Assistance Program to encourage the use of assessment data in program design and promote more effective programs for struggling students.
- Creates a process of increasing scrutiny for the plans for districts which are not meeting state and federal student achievement and improvement goals.
- Leaves the program's funding formula to the biennial budget act and, beginning in the 2005-06 school year, requires the Superintendent of Public Instruction to distribute state funds based on a family income factor measuring economic need..

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 10 members: Representatives Quall, Chair; McDermott, Vice Chair; Talcott, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Anderson, Cox, Haigh, Hunter, McMahan and Rockefeller.

Staff: Susan Morrissey (786-7111).

Background:

Washington's Learning Assistance Program (LAP) has been in operation for 23 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, language arts and academic readiness. School districts apply to the Office of Superintendent of Public Instruction (OSPI) for program funds, each submitting a program plan to the agency. The OSPI must approve the districts' program plans before any funds are released. The plans may include a variety of activities and services targeted to struggling students. However, they 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 basic education. The Legislature has appropriated \$129.4 million for the program for the 2003-05 biennium. The money is 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. In many districts, the LAP funds are blended with funding from the federal Title I program. During the biennium, Washington received \$307 million for the Title I program. The combination of these funds provides \$436.6 million to school districts during the 2003-05 biennium to meet the specific learning needs of struggling students.

Summary of Second Engrossed Substitute Bill:

The LAP is refocused to encourage school districts to use assessment data when developing programs to assist underachieving students and to guide districts in their efforts to provide effective and efficient program practices. The program will help participating and underachieving students in kindergarten through the eleventh grade who need additional assistance in reading, mathematics, writing, or in the readiness skills associated with those subjects. Beginning with the 2007-08 school year, students in grade twelve will be eligible for program services. The students will be identified using state and district basic skills assessments.

School districts must apply annually to the OSPI for LAP funds. In order to receive the funds, the districts must develop and obtain OSPI approval of a LAP plan. The new planning requirements are phased in over the next two school years. Plans submitted for the 2004-05 school year are encouraged to include one or more of the activities included on a list in the legislation. Plans submitted for 2005-06 and later school years will include district and school-level data on reading, writing and mathematics, the processes to be used to identify underachieving students, student achievement goals, and the components of accelerated learning plans for participating students. The district plans will also describe how the school

will use assessments and intentional instructional strategies, staff development plans, plans to coordinate resources, and school improvement plans to support underachieving students. Finally, the plans will include a program evaluation component.

The LAP program may be used to support extended learning, focused professional development, consulting teachers, tutoring, and parent outreach and support.

The OSPI will adopt rules for the program and monitor district implementation at least once every four years. School districts that achieve the state reading and mathematics goals will have their plans automatically approved once the district has submitted a complete program plan. School districts that have not met the goals and are not in a state or federal improvement program will receive technical assistance with their plans from the agency. School districts with one or more schools in state or federal program improvement will receive approval if the plan meets the requirements of the improvement program.

Every school district with an approved plan is eligible for funding through the LAP. The funds will be distributed based on the instructions in the biennial appropriations act. The distribution formula is for district allocation purposes only. Beginning in the 2005-06 school year the distribution formula will be based on one or more family income factors measuring economic need.

The existing laws governing the program are repealed.

Appropriation: None.

Fiscal Note: Available for original bill.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Under current law, school districts that are successful in raising the achievement of struggling students lose their funding from LAP. School districts that are unsuccessful receive additional state funds. The LAP funding structure needs to be refocused in a way that allows districts to mount and sustain effective programs for struggling students. Using a poverty factor in the distribution formula should solve this problem and, since poverty is a good proxy for lack of achievement, the new formula should result in better programs for struggling students. This legislation refocuses the LAP toward elimination of the achievement gap, a state and national priority. It should result in funding and planning integration for the LAP, Title I, Initiative 728, and other programs that improve student learning. It also provides field assistance to districts and will help refocus LAP programs based on research-based best practices.

Testimony Against: None.

Testified: Representative McDermott, prime sponsor; Dr. Terry Bergeson, Superintendent of Public Instruction; Judy Hartmann, Governor's Office; Rainer Houser, Association of Washington School Principals; and Christie Perkins, Washington State Special Education Coalition.