

HOUSE BILL REPORT

HB 2012

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to a special services pilot program.

Brief Description: Creating a special services pilot program.

Sponsors: Representatives Fromhold, Cox, Kenney, Hunter, Quall, Moeller, Chase and Santos.

Brief History:

Committee Activity:

Education: 3/4/03, 3/5/03 [DPS];

Appropriations: 3/8/03 [DP2S(w/o sub ED)].

Brief Summary of Second Substitute Bill

- Makes certain legislative findings regarding the benefits of early intensive invention services.
- Establishes a pilot program to provide early intensive intervention services in reading and language.
- Provides for funding of the pilot program through separate appropriation of non special education moneys.
- Declares an intent that a district's access to safety net funding will not be impacted.
- Requires the Office of Superintendent of Public Instruction to create a modified safety net application form.

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: Sydney Forrester (786-7120).

Background:

Proponents of early intervention approaches, including approaches aimed at less labeling of students, cite to the various desirable outcomes achieved by such approaches:

- Reduced growth in special education eligible populations;
- Increases in the percentage of students meeting state academic standards;
- Increased emphasis on prevention of academic failure;
- Increased rate of students graduating from high school;
- Increased emphasis on accountability for academic outcomes; and
- Reduced risk of incurring sanctions under the Elementary and Secondary Education Act (ESEA).

In 1991, at the request of the Legislative Budget Committee (LBC), the Legislature authorized certain K-12 special services demonstration projects. The LBC's 1993 report regarding the nine demonstration projects indicated: (1) intensive testing has little diagnostic value and is often unconnected with the special education interventions subsequently authorized for the students; and (2) over regulation at the state and federal level often results in uncoordinated programs with excessive paperwork to comply with categorical program rules.

Summary of Substitute Bill:

A six-year pilot program is established to provide early intensive intervention services in reading and language. The objective is to reduce the number of children who eventually may require special education. Two districts will be selected by the Office of Superintendent of Public Instruction (OSPI) by June 2003.

Pilot program funding will consist only of sources other than special education moneys. Participating districts will receive state funding by separate appropriation for the pilot program. The amount of pilot program funding will be equal to the district's special education funding for its average percentage special education enrollment for the 2001-2002 and 2002-2003 school years minus the district's annual actual funding for special education.

Participating districts must use multiple diagnostics to identify individual student literacy needs and use research-based instructional interventions to address individual student deficits in reading and language. Parents must be informed of diagnosed needs, have the opportunity to participate in designing interventions, and be encouraged to actively participate in the learning process.

Districts also must report progress annually to the OSPI and agree to participate in an evaluation of the program, including the contribution of funds and staff expertise for the design and implementation of the evaluation.

By December 15, 2007, the OSPI must report to the Governor and the Legislature on the effectiveness of the program. The pilot program expires June 30, 2010.

Substitute Bill Compared to Original Bill:

The substitute bill limits pilot program funding to non special education moneys. The original bill permitted the use of special education moneys in the pilot program conditioned on obtaining state and federal waivers for the use of those moneys. The number of districts authorized to participate is reduced from three to two.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: This bill contains an emergency clause and takes effect immediately.

Testimony For: The intent of the bill is to recognize the significant expenditure represented in state special education programs, including the fact that these programs are paperwork intensive. School districts elsewhere have tried pilot programs similar to this approach and have found them to be very successful in providing early intervention services and reducing the number of students eventually requiring special education services.

School districts are challenged to serve all students, including those who come from poverty, with disabilities, and with limited English skills. The state, the district, and the school, share a duty to assure that all students are served. The consequences under the Elementary and Secondary Education Act for not meeting standards are significant. Research on student performance and the use of intensive early intervention programs shows that these programs can yield astounding gains for students at risk of failure, including catching these students up to the level of their peers and greatly reducing the numbers of students referred to special education. The Elk Grove School District has seen sustained improvement in these areas over eight years using an approach like this bill. Their focus is on literacy using focused intensive intervention and instruction. The hope is that the districts in this pilot program can duplicate those results.

(In support with concerns) It is important to make sure that special education moneys are not used in this program and that only basic education moneys are used.

Testimony Against: None.

Testified: (In support) Representative Hunter, sponsor; Tom Cone, Vancouver School District; Bob Butts, Office of Superintendent of Public Instruction; and Pat Steinberg, Washington Education Association.

(In support with concerns) Christie Perkins, Washington State Special Education Coalition.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Conway, Cox, DeBolt, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McDonald, McIntire, Miloscia, Pflug, Ruderman, Schual-Berke, Sump and Talcott.

Staff: Denise Graham (786-7137).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

The second substitute clarifies the funding mechanism for the pilot projects and insures that the pilot projects are cost neutral to the state.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Second Substitute Bill: This bill contains an emergency clause and takes effect immediately.

Testimony For: Early intensive literacy programs can help kids learn to read and this carries into other academic areas. As a result, fewer kids will be identified as special education later on. This bill removes the disincentive to districts to provide the early intervention services.

(Concerns) A 1995 study showed that early intervention programs do not necessarily result in decreasing the special education population.

Testimony Against: None.

Testified: (In support) Bob Butts, Office of the Superintendent of Public Instruction; and Gary King, Washington Education Association.

(Concerns) Christie Perkins, Washington Special Education Coalition.