

# SENATE BILL REPORT

## 2SHB 2012

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As Reported By Senate Committee On:  
Education, April 4, 2003

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

**Brief Description:** Creating a special services pilot program.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Fromhold, Cox, Kenney, Hunter, Quall, Moeller, Chase and Santos).

**Brief History:**

**Committee Activity:** Education: 4/1/03, 4/4/03 [DPA].

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### SENATE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended.

Signed by Senators Johnson, Chair; Zarelli, Vice Chair; Carlson, Eide, Finkbeiner, McAuliffe, Rasmussen and Schmidt.

**Staff:** Heather Lewis-Lechner (786-7448)

**Background:** Special education is defined as instruction that is specially designed to meet the unique needs and abilities of a student with disabilities. It must be provided at no cost to the student or parent. Special education also includes the related services necessary to assist the student in benefitting from the special education instruction. Under state law, districts receive full special and basic education funding for all special education students that are enrolled.

Special education funding is broken down into two age groups (0-2 and 3-21) and funding for each student is determined by the student's age. Funding for students aged 3-21 is limited to 13 percent of the basic education FTE enrollment for each district. When this funding formula was created, the Legislature also created a special education safety net. Safety net funds are for those districts that have demonstrated needs for funding beyond the amounts allowed by the state formula.

The federal Individuals with Disabilities Education Act (IDEA) is the guiding federal legislation for special education. One of the main purposes listed in the IDEA includes assisting states in developing and providing early intervention services.

There are currently three programs administered through the Office of the Superintendent of Public Instruction that focus on assisting students struggling with reading. These programs include Washington Reading Corps, the Washington Reads grant program and the federal Reading First program. Reading Corps and Washington Reads are grant programs that focus on improving reading abilities of students and helping increase reading achievement. Reading First grants are available to up to 53 Washington schools, and the intent of the program is

to provide support to state agencies and schools in implementing proven methods of early reading instruction in classrooms.

**Summary of Amended Bill:** A four-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 are selected by the Office of the Superintendent of Public Instruction (OSPI) by June 2003.

Pilot program funding consists only of sources other than special education moneys. Participating districts receive state funding by separate appropriation for the pilot program. The amount of pilot program funding is equal to the district's special education funding for its average percentage special education enrollment for the 2001-02 and 2002-03 school years minus the district's annual actual funding for special education. This act will not increase or decrease a participating district's ability to access the safety net for high cost students.

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 must report progress annually to 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. The progress report must include objective measures or indicators that show the progress towards the intended goal and purpose of the program.

By December 15, 2006, OSPI must report to the Governor and the Legislature on the effectiveness of the program. The pilot program expires June 30, 2007.

**Amended Bill Compared to Original Bill:** The pilot program is changed from a six-year program to a four-year program and reporting dates are changed. It is clarified that this act will not increase or decrease a district's ability to access the safety net funds for high cost students. The progress reports from the participating districts must include objective measures or indicators that show the progress towards the intended goal and purpose of the program.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Research has shown that early intensive assistance can significantly improve the reading and language skills for children struggling academically. This early assistance has been shown to help reduce the number of children that require special programs and special education. The programs contemplated by this bill will help schools meet the needs of struggling students. This bill reflects changes currently being negotiated at the federal level with the reauthorization of the IDEA. It is the hope that these two participating districts will be able to show progress in helping these struggling students just as other districts in

other parts of the country have had progress with this type of program. We need to dramatically change how we address the needs of struggling students. We need a preventative model rather than a remedial model of working with these students. Vancouver School District has looked at similar school districts across the country that are succeeding in meeting the needs of struggling students and found one in Elk Grove, CA. They have made sustainable and dramatic gains in reducing the number of students in special education by using early intensive assistance programs. This is an effective way of preventing students from needing special education services. This pilot program will allow us to explore the options and come up with a program that will work here and give us the opportunity to produce the same effective and sustainable results that we saw in Elk Grove.

There is currently a catch 22 with special education funding; if you do a good job of remediating problems and get student out of special education programs, your funding goes down. This bill allows us to solve that problem because it allows us to reduce the number of students in special education and still access other, nonspecial education funds to maintain the programs for those students. Without this bill and the funding provided, there is a disincentive to try something like this pilot program because of the loss of funding.

Concerns: One concern is with the name of the program, because this is not special education money and we are not talking about special education. We would rather it be called the intensive intervention pilot program. Early intervention programs are important as part of the whole system. We believe they are part of basic education and do not want people to think that the special education needs will go down or that it is appropriate at the state level to move special ed money to nonspecial education activities. We recognize that special ed funding at the excess cost level is funded at a much higher level and understand why a district may want to access that larger pot of money, but we must caution everyone that this program might not be a quick fix, though. The ideas are good but we need to exercise caution regarding the funding. We would also like to recommend an independent evaluation of the program.

**Testimony Against:** None.

**Testified:** Representative Fromhold, prime sponsor (pro); Doug Goodlett, Vancouver School District (pro); Bob Butts, OSPI (pro); Christie Perkins, WA State Special Ed. Coalition (concerns).