

# HOUSE BILL REPORT

## HB 2810

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### As Reported by House Committee On:

Education  
Appropriations

**Title:** An act relating to enhancing resources and assistance in school districts with concentrations of English language learner students.

**Brief Description:** Enhancing resources and assistance in school districts with concentrations of English language learners.

**Sponsors:** Representatives Sullivan, Quall, Upthegrove, Anderson, Conway, Kenney, Haigh, Hudgins, Santos, Simpson and Ormsby.

### Brief History:

#### Committee Activity:

Education: 1/22/08, 1/29/08 [DP];

Appropriations: 2/8/08, 2/11/08 [DPS].

#### Brief Summary of Substitute Bill

- Provides enhanced funding through the Learning Assistance Program formula for school districts with more than 20 percent student enrollment in the Transitional Bilingual Program and more than 40 percent of students eligible for Free or Reduced Price Lunch.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass. Signed by 9 members: Representatives Quall, Chair; Barlow, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Haigh, Lias, Roach, Santos and Sullivan.

**Staff:** Barbara McLain (786-7383).

#### Background:

Transitional Bilingual Program. School districts receive supplemental funds on a per-student basis to provide special instruction to help English language learner (ELL) students reach

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competency in English. Once students reach a specified level of competency on the Washington Language Proficiency Test, they exit the Transitional Bilingual Program (TBP).

The ELL students are not evenly distributed in school districts across the state. In May 2007 188 districts reported no bilingual enrollment. Fifty-three districts had more than 10 percent of their total enrollment in the TBP. Twenty-five districts had more than 20 percent of students in the TBP.

Learning Assistance Program. School districts also receive supplemental funds to provide struggling students with remediation. Unlike the TBP funds, which are based on individual students, the Learning Assistance Program (LAP) funds are allocated based on the proportion of low income students in the district (those eligible for Free or Reduced Price Lunch). The LAP allocation reflects the high correlation between student poverty and low academic achievement, but funds are used for any student who needs assistance.

Research on federal Title I programs has found that in schools with high concentrations of low-income students, the negative impact of poverty on student achievement tends to be school-wide and more significant than would otherwise be expected. Within the LAP funding formula, there is an additional allocation for school districts with above-average enrollment of low-income students. School districts with more than 40 percent low-income students receive additional dollars based on the difference between their percentage of low-income students and the 40 percent threshold.

In Washington, there is also a high correlation between the ELL students and student poverty. Of the 25 school districts with more than 20 percent of student enrolled in the TBP, all but two also exceeded 40 percent low-income students, and those two districts reported no low income data.

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### **Summary of Bill:**

In addition to funds allocated on the basis of income factors, enhanced funds are allocated through the LAP formula for school districts where more than 20 percent of students are eligible for and enrolled in the TBP and where the percent of K-12 enrollment who are eligible for Free or Reduced Price Lunch also exceeds 40 percent.

The enhanced LAP allocation is calculated using the district's percent enrollment in the TBP for the prior year, minus the 20 percent threshold, and times the district's total full-time equivalent student enrollment for the prior year. The resulting number is multiplied by the per-funded student allocation rate for the LAP established in the Appropriations Act.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 16, 2008.

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

**Staff Summary of Public Testimony:**

(In support) The highlight of the House Education Committee's interim was a visit to the Yakima Valley and the discussions with school superintendents about the need for additional resources in schools with high ELL student populations. Probably one of the best ways to accomplish this is through the LAP formula because of its flexibility. There are many ways to calculate the eligibility threshold in the bill; this can be the subject of additional discussion. The Yakima superintendents' recommendations reflect the sheer numbers of immigrants coming into our state. Perhaps the formula could be based on a rolling average to reflect growth in immigrant and migrant populations. The superintendents who drafted the white paper think this is an excellent way to address the combined issues of language and poverty. Additional education is the key to addressing both the achievement gap and health disparities at the same time, and in a much more cost-effective way than through medical interventions.

(Opposed) None.

**Persons Testifying:** Representative Sullivan, prime sponsor; Ricardo Sanchez, Latino/a Educational Achievement Project; Isabel Munoz-Colon, Office of the Superintendent of Public Instruction; Don Sloma, Washington Health Foundation; and Rick Cole, Sunnyside School District.

**Persons Signed In To Testify But Not Testifying:** None.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 33 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Chandler, Cody, Conway, Darneille, Ericks, Fromhold, Grant, Green, Haigh, Hinkle, Hunt, Kagi, Kenney, Kessler, Kretz, Linville, McDonald, McIntire, Morrell, Pettigrew, Priest, Ross, Schmick, Schual-Berke, Seaquist, Sullivan and Walsh.

**Staff:** Ben Rarick (786-7349).

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

The substitute bill makes the enhanced funding provided in the act take effect starting in school year 2008-09. Additionally, a null and void clause was added, making the bill null and void unless funded in the budget.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

**Staff Summary of Public Testimony:**

None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.