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HOUSE BILL 2136

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State of Washington

60th Legislature

2007 Regular Session

By Representatives Fromhold, Sommers, Kenney, Moeller and Ormsby; by request of Superintendent of Public Instruction

Read first time 02/09/2007. Referred to Committee on Education.

1 AN ACT Relating to the improving core subject instruction for all  
2 students pilot program; adding a new section to chapter 28A.630 RCW;  
3 providing an expiration date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.630  
6 RCW to read as follows:

7 (1)(a) Research has shown that early, intensive interventions can  
8 significantly improve reading, written language, and mathematics skills  
9 for children who are struggling academically. This early research-  
10 based assistance has been successful in reducing the number of children  
11 who require specialized programs. Research further suggests that the  
12 disabilities of many students with mild and moderate disabilities are  
13 correctable through strategic early intervention and the students do  
14 not necessitate special education eligibility. However, by being  
15 effective in reducing the number of students eligible for these  
16 programs, school district funding is reduced.

17 (b) The purpose of the program in this section is to continue  
18 support to the existing pilot districts and to encourage other school  
19 districts to participate as pilot districts to improve the

1 implementation of high quality general education research-based core  
2 instructional programs to meet the needs of students struggling  
3 academically, while reducing the number of students inappropriately  
4 referred and placed in special education under the specific learning  
5 disability eligibility category because of ineffective instructional  
6 practices. This will allow special education programs to concentrate  
7 specially designed instruction on students who truly require special  
8 education services. The goal of this assistance is to effectively  
9 address reading, written language, and mathematics difficulties  
10 resulting in a substantially greater proportion of students meeting the  
11 progressively increasing performance standards for both the aggregate  
12 and disaggregated subgroups under federal law.

13 (c) The participating pilot districts implementing the special  
14 services pilot program have met the goals of the pilot program  
15 resulting in (i) a substantial number of underachieving students  
16 meeting the progressively increasing reading performance standards and  
17 (ii) a reduction in the number of children who require special  
18 education.

19 (2) Seven school districts may participate in the special services  
20 pilot program, including two school districts already participating and  
21 five additional school districts. The special services pilot program  
22 shall begin in the 2007-08 school year and conclude in the 2010-11  
23 school year.

24 (3) School districts participating in the pilot program shall  
25 receive state special education funding in accordance with state  
26 special education funding formulas and a separate pilot program  
27 appropriation from sources other than special education funds. The  
28 separate appropriation shall be calculated as provided in this  
29 subsection.

30 (a) The school district's estimated state special education funding  
31 for the current year based on the school district's average percentage  
32 of students age three through twenty-one who were eligible for special  
33 education services for the school year before participation as a pilot  
34 program as reported to the office of the superintendent of public  
35 instruction;

36 (b) Minus the school district's actual state special education  
37 funding based on the district's current percentage of students age

1 three through twenty-one eligible for special education services as  
2 reported to the superintendent of public instruction.

3 (c) The superintendent shall adjust the factors in (a) of this  
4 subsection for one or more participating school districts, where  
5 legislative changes to the special education funding formula impact the  
6 funding mechanism of this program.

7 (4) Participation in the pilot program shall not increase or  
8 decrease a district's ability to access the safety net for high-cost  
9 students by virtue of the district's participation in the program.  
10 Districts participating in the pilot program shall have access to the  
11 special education safety net using a modified application approach for  
12 the office of the superintendent of public instruction demonstration of  
13 financial need. The superintendent shall create a modified application  
14 to include all special education revenues received by the district, all  
15 pilot program funding, expenditures for students with individual  
16 education programs, and expenditures for students generating pilot  
17 program revenue. Districts participating in the pilot program that  
18 seek safety net funding shall convincingly demonstrate to the committee  
19 that any change in demonstrated need is not attributable to their  
20 participation in this pilot program.

21 (5) School districts participating in the program must agree to:

22 (a) Implement the program as part of the school districts' general  
23 education curriculum for all students;

24 (b) Use a multitiered service delivery system to provide scientific  
25 research-based instructional interventions addressing individual  
26 student needs in the areas of reading, written language, or  
27 mathematics;

28 (c) Develop and implement an assessment system to conduct universal  
29 screening, progress monitoring, targeted assessments, and outcome  
30 assessments to identify the reading, written language, or mathematics  
31 needs of each student and to monitor student progress;

32 (d) Incorporate student-specific data obtained through the pilot  
33 program when conducting an evaluation to determine if the student has  
34 a disability;

35 (e) Assure that parents are informed of: The amount and nature of  
36 student performance data that is collected and the general education  
37 services that are provided; the strategies for increasing the student's

1 rate of learning; the parents' right to make a referral for special  
2 education evaluation if they suspect the student has a disability; and  
3 the parents' right to have input into designed interventions;

4 (f) Assure that parents are provided assessments of achievement at  
5 reasonable intervals addressing student progress during instruction;

6 (g) Actively engage parents as partners in the learning process;

7 (h) Comply with state special education requirements; and

8 (i) Participate and provide staff expertise in the design and  
9 implementation of an evaluation of the program as determined by the  
10 superintendent of public instruction. Districts shall annually review  
11 and report progress, including objective measures or indicators that  
12 show the progress towards achieving the purpose and goal of the  
13 program, to the office of the superintendent of public instruction.

14 (6) By December 15, 2010, the superintendent of public instruction  
15 shall submit a report to the governor and appropriate committees of the  
16 legislature that summarizes the effectiveness of the pilot program in  
17 this section. The report shall also include a recommendation as to  
18 whether or not the pilot program should be continued, expanded, or  
19 otherwise modified.

20 (7) This section expires June 30, 2011.

21 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
22 preservation of the public peace, health, or safety, or support of the  
23 state government and its existing public institutions, and takes effect  
24 immediately.

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