

SENATE BILL REPORT

SHB 2748

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 23, 2018
Ways & Means, February 26, 2018

Title: An act relating to modifying the learning assistance program to balance local control and state accountability by making the allowable uses of program funds more flexible and requiring that the expenditure of funds be consistent with the Washington integrated student supports protocol.

Brief Description: Modifying the learning assistance program.

Sponsors: House Committee on Education (originally sponsored by Representatives Santos, Stonier, Muri and Pollet).

Brief History: Passed House: 2/09/18, 93-5.

Committee Activity: Early Learning & K-12 Education: 2/20/18, 2/23/18 [DPA-WM, w/oRec].

Ways & Means: 2/26/18 [w/oRec].

Brief Summary of Amended Bill

- Modifies the Learning Assistance Program (LAP).
- Expands the Extended Learning Opportunities Program to include eighth through twelfth graders.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Wellman, Chair; Rolfes, Vice Chair; Zeiger, Ranking Member; Billig, Hunt, Mullet, Pedersen and Rivers.

Minority Report: That it be referred without recommendation.

Signed by Senators Hawkins and Padden.

Staff: Susan Mielke (786-7422)

SENATE COMMITTEE ON WAYS & MEANS

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: That it be referred without recommendation.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair; Braun, Ranking Member; Honeyford, Assistant Ranking Member; Bailey, Becker, Billig, Brown, Carlyle, Conway, Darneille, Fain, Hasegawa, Hunt, Keiser, Mullet, Palumbo, Pedersen, Ranker, Schoesler, Van De Wege, Wagoner and Warnick.

Staff: Jeffrey Naas (786-7708)

Background: Washington Integrated Student Supports Protocol (Protocol). The Protocol framework was established in 2016 and is subject to funding appropriated for this specific purpose. It requires a student needs assessment be conducted for all at-risk students to identify the needed academic and nonacademic supports designed to meet the individual needs of each student. The Protocol also requires the engagement of community partners to provide non-academic supports, including supports to the students' families. It must facilitate the ability of any academic or nonacademic provider to support the needs of at-risk students, including but not limited to, dentists, physicians, social workers, mental health counselors, and others.

The LAP. This program provides supplemental instruction and services to assist students in grades K-12 who are not meeting academic standards and to reduce disruptive behaviors in the classroom. School districts implementing LAP must focus first on K-4 students who are deficient in reading.

The state allocation for LAP is based on the number of K-12 students enrolled in the school district who are eligible for free or reduced-price meals (FRPMs) in the prior school year, but students do not have to be eligible for FRPMs to be served in the LAP. In 2017, the Legislature created an additional allocation that is a high-poverty, school-based LAP allocation for qualifying school buildings with at least 50 percent of the enrolled students eligible for FRPMs. School districts must distribute this allocation to the school buildings that generated the allocation.

Since 2013, up to 5 percent of a district's LAP allocation may be used for partnerships with community-based organizations to deliver academic and nonacademic supports to reduce barriers to learning. Since the 2016-17 school year, districts must use a best practice or strategy that is on a state menu developed by a panel of experts convened by the Superintendent of Public Instruction (SPI). The panel must include the Washington Institute of Public Policy. School districts may use a practice or strategy that is not on a state menu if the district is able to demonstrate improved outcomes for students commensurate with the best practices and strategies on the state menu. At least every four years, the SPI must monitor school district fidelity in implementing the best practices. School districts must report annually to the SPI on the activities and services provided by LAP and the academic growth gained by students participating in LAP.

Extended Learning Opportunities Program. This program was created in 2009 to assist eleventh and twelfth grade students who are not on track to meet local or state graduation requirements; and to assist eighth grade students who need additional assistance in order to have the opportunity for a successful entry into high school. The program was subject to

funds being available for this purpose but also authorized school districts to use basic education program funding to provide instruction to eligible students.

Summary of Amended Bill: Protocol. The Protocol is expanded to include a system-level needs assessment with resource mapping to identify the supports currently available or lacking in schools and the community.

LAP. The statutory purpose of LAP is changed by modifying the requirement to focus first on K-4 reading literacy and instead emphasize K-4 reading literacy; and eliminating the purpose of reducing disruptive behaviors in the classroom. The purpose of assisting students who are not meeting academic standards is maintained. Intensive reading and literacy improvement strategies is added as a service and activity that may be supported by the LAP.

Districts may use a best practice or strategy that is developed by a panel of experts convened by the SPI, although the result will not be called a state menu. No members of the panel are specified. The panel may consider ways to integrate student supports to promote students' academic success.

A district's high-poverty school-based LAP allocation must be expended at qualifying schools not qualifying school buildings. Beginning November 1, 2018, the SPI must annually report school district-level LAP data to the Legislature.

Extended Learning Opportunities. Eligibility for this program is expanded to include eighth through twelfth graders instead of eighth, eleventh, and twelfth graders.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S): Some provisions are restored to current law, including, the 5 percent cap on LAP funds being used for community-based organization supports, and the panel of experts to develop best practices.

Some provisions from the underlying bill are retained, including, making it permissive for districts to use the best practices developed by the panel of experts; not specifying required experts to be included in the panel of experts; clarifying that the high-poverty school-based LAP allocation goes to qualifying schools not school buildings; adding system-level needs assessments as part of the Protocol; expanding the extended learning opportunities program to include eighth grade through twelfth grade students; and removing from the purposes of LAP the reduction of disruptive classroom behavior.

Some provisions from the underlying bill are modified, including, the requirement that school districts focus first on K-4 reading deficiencies now requires that school districts emphasize addressing those needs. Some provisions are removed from the underlying bill, including the use of the Protocol in the LAP and the requirement to report school-level LAP data. A new provision is added that the panel of experts may consider ways to integrate student supports to promote students' academic success.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed, except for sections 3 through 10, which take effect January 1, 2019.

Staff Summary of Public Testimony on Substitute House Bill (Early Learning & K-12 Education): *The committee recommended a different version of the bill than what was heard.* PRO: This bill will make the use of LAP dollars more flexible and will implement the Washington Integrated Student Supports Protocol as an umbrella on what to do in LAP and how to use LAP funding. The Protocol is flexible to allow school districts to provide whatever you think your struggling students need. There are a number of models for integrated student supports being implemented nationwide. Some school districts in Washington are already using integrated student supports but not the Protocol model. We are very excited that a key component of the Protocol is community partnerships to provide community-based supports. We would like the LAP high-poverty, school-based allocation to be based on a three-year rolling average of the number of students who qualify for free or reduced priced meals instead of an annual average.

Persons Testifying (Early Learning & K-12 Education): PRO: Representative Sharon Tomiko Santos, Prime Sponsor; David Beard, School's Out Washington; John Bash, Superintendent, Tumwater School District.

Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education): No one.

Staff Summary of Public Testimony on Amended Bill (Ways & Means): No public hearing was held.

Persons Testifying (Ways & Means): N/A.

Persons Signed In To Testify But Not Testifying (Ways & Means): N/A.