

# FINAL BILL REPORT

## SHB 1208

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Synopsis as Enacted

**Brief Description:** Modifying the learning assistance program.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Santos, Steele, Lekanoff, Paul, Callan, Ortiz-Self, Bergquist and Harris-Talley).

**House Committee on Education**

**House Committee on Appropriations**

**Senate Committee on Early Learning & K-12 Education**

### **Background:**

*Learning Assistance Program. Program Design.* To assist students who are not meeting academic standards and reduce disruptive behaviors in the classroom, the Learning Assistance Program (LAP) is designed to promote the use of data when developing programs and guide school districts in providing the most effective and efficient practices when implementing supplemental instruction and services. "Students who are not meeting academic standards" means students with the greatest academic deficits in basic skills as identified by statewide, school, or district assessments, or other performance measurement tools.

*Program Focus.* School districts implementing a LAP must focus first on addressing the reading literacy needs of students in kindergarten through fourth grade who are deficient in reading or reading readiness skills.

*Menu of Best Practices.* The Office of the Superintendent of Public Instruction (OSPI) publishes a state menu of best practices and strategies for reading and literacy improvement for use in the LAP to assist struggling students in English language arts and mathematics and to reduce disruptive behaviors in the classroom. Since the 2016-17 school year, school districts have been required to begin using these best practices and strategies or comply with certain requirements to obtain approval from the OSPI to use an alternative practice or strategy. School districts may enter cooperative agreements with state agencies, local

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governments, or school districts for administrative or operational costs needed to provide services in accordance with the state menus.

To the extent included on the state menu or an approved alternative, specified services and activities may be supported by the LAP, for example: extended learning time opportunities; defined professional development activities; consultants; tutoring; outreach and support for parents; and development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports, if approved by the school board at an open meeting, with a maximum of 5 percent of the LAP allocation used for this purpose.

The LAP may also support screening, intervention, and staff training requirements related to students in kindergarten through second grade who have indications of, or areas associated with, dyslexia, even if the students are not eligible to participate in the LAP.

*Funding.* The state provides two types of funding allocations for the LAP. School districts and schools qualify for one or both allocations based on prior years' percentages of students who qualify for free or reduced price meals. First, the state allocates funding to school districts to provide, on a statewide average, 2.3975 hours per week in extra instruction in a class size of 15 students. Districts must spend this allocation for the LAP, but they may use the funding to provide LAP services for any qualifying student. Second, under the high poverty-based LAP allocation, the state allocates funding to school districts to provide, on a statewide average, 1.1 hours per week in extra instruction in a class size of 15 students. Districts may spend this high poverty-based allocation only for LAP services in those schools that qualify for this funding.

*Data Collection and Reporting.* School districts must annually report to the OSPI with LAP data, for example data on students' academic growth and practices and activities used in each school's LAP. The OSPI must then report to the Legislature with the annual and longitudinal gains for the practices and activities to show which are the most effective.

Washington Integrated Student Supports Protocol and Framework. The Washington Integrated Student Supports Protocol (WISSP) was developed by the Center for the Improvement of Student Learning within the OSPI. The purposes of the protocol include: (1) supporting a school-based approach to promoting the success of all students by coordinating academic and nonacademic supports to reduce barriers to academic achievement and educational attainment; (2) fulfilling a vision of public education where educators focus on education, students focus on learning, and auxiliary supports enable teaching and learning to occur unimpeded; (3) encouraging the creation, expansion, and quality improvement of community-based supports that can be integrated into the academic environment of schools and school districts; (4) increasing public awareness of the evidence showing that academic outcomes are a result of both academic and nonacademic factors; and (5) supporting statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development, and advocacy to implement

high-quality, evidence-based, student-centered, coordinated approaches throughout the state.

The framework of the WISSP includes needs assessments, integration and coordination, community partnerships, and a requirement that the protocol be data driven. The framework must facilitate the ability of any academic or nonacademic provider to support the needs of at-risk students, including: out-of-school providers; social workers; mental health counselors; physicians; dentists; speech therapists; and audiologists.

Extended Learning Opportunities Program. The Extended Learning Opportunities Program is for eligible eleventh and twelfth grade students who are not on track to meet local or state graduation requirements, and eighth grade students who need additional assistance for a successful entry into high school. Instructional services for eligible students can occur at any time and location, deemed appropriate by the school districts, to meet the needs of these students. A nonexhaustive list of the instructional services that can be provided includes alternative school classes and classes at skill centers, inclusion in remediation programs, and reading improvement specialists.

**Summary:**

Budgeting and Expending Program Funds. School districts must immediately budget and expend LAP appropriations to identify and address the academic and nonacademic needs of students resulting from and exacerbated by the COVID-19 pandemic, and are encouraged to budget and expend LAP funds using the framework of the WISSP.

Upon the expiration or termination of the state of emergency declared by the Governor for all counties in Washington due to COVID-19 or beginning September 1, 2025, whichever is later, school districts must budget and expend LAP appropriations using the framework of the WISSP.

When budgeting and expending LAP funds using the framework of the WISSP, school district may use up to 15 percent of the district's LAP allocation to deliver academic, nonacademic, and social-emotional supports and services to students through partnerships with community-based or other out-of-school organizations. Any agreement between a school district and a community partner must: (1) specify that LAP funds may be used only to provide direct supports and services to students; (2) clearly identify how the community partner's supports and services will be made available to students and align to the needs of the students as identified in the student-level needs assessment; and (3) identify the in-school supports that will be reinforced by the community partner's supports and services to promote student progress towards meeting academic standards.

Program Modifications. Changes are made to requirements and restrictions on the use of LAP funds, for example: (1) the LAP is no longer required to focus first on addressing the reading needs of kindergarten through fourth grade students or to be designed to reduce

disruptive behaviors; (2) school districts are not required to use a practice or strategy from the state menus or obtain approval to use an alternative practice or strategy; (3) the statutory list of best practices, strategies, services and activities that may be supported by the LAP is repealed; and (4) statutory permission to use LAP funds to meet dyslexia screening and intervention requirements for students who are not eligible to participate in the LAP and to use LAP funds for staff dyslexia trainings is repealed.

Program and Practice Review and Reports. The Center for the Improvement of Student Learning (CISL), within the OSPI, must periodically review the efficacy of programs and practices designed to meet the needs of students who are not meeting academic standards, starting with the best practices and strategies included on the state menus, and certain listed services and activities. Beginning December 1, 2026, the CISL must annually review the LAP performance data reported by school districts and report to the Legislature with a summary of the innovations made by school districts to reduce barriers to the academic achievement of students participating in the LAP.

School districts must add the following information to data annually submitted to the OSPI: the percentage of LAP funding used to engage community partners; the number of students receiving direct supports and services from those community partners; and the types of supports and services.

Extended Learning Opportunities. The Extended Learning Opportunities program is expanded to ninth and tenth grade students, from eleventh and twelfth grade students.

Washington Integrated Student Supports Protocol Framework. The framework of the WISSP is modified as follows: (1) a system-level needs assessment with resource mapping must be conducted to identify academic and nonacademic supports that are currently available or lacking in schools, school districts, and the community; (2) school and district leadership and staff must establish policies and procedures with community-based providers, in addition to out-of-school providers, of academic and nonacademic supports; and (3) community partners must be engaged to provide academic and social-emotional supports, in addition to nonacademic supports, to reduce barriers to students' academic success.

Other Changes. The list of student groups for which the State Board of Education (SBE) may adopt and revise performance goals in various subjects is modified. Instead of adopting a goal for students from disproportionately academically underachieving racial and ethnic backgrounds, the SBE may adopt a goal for students who are not meeting academic standards. In addition, the goals for each student group must be disaggregated by specified racial and ethnic categories.

In addition, contracting related to the duties and responsibilities of the CISL and reporting on the effectiveness of the CISL are made subject to state funding.

**Votes on Final Passage:**

House	93	4	
Senate	28	20	(Senate amended)
House	93	5	(House concurred)

**Effective:** April 21, 2021  
Contingent (Section 3)