
ENGROSSED SUBSTITUTE HOUSE BILL 1329

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Education (originally sponsored by Representatives H. Sommers, Holland, Locke, Silver, Brekke, Peery, Ebersole, Fuhrman, Cole, Phillips and R. King; by request of Legislative Budget Committee).

Read first time February 15, 1991.

1 AN ACT Relating to special educational services demonstration
2 projects; adding new sections to chapter 28A.630 RCW; creating a new
3 section; providing an effective date; providing an expiration date; and
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 (1) encourage school districts, individually and cooperatively, to
8 develop innovative special services demonstration projects that use
9 resources efficiently and increase student learning; (2) promote
10 noncategorical approaches to special services program design, funding,
11 and administration; (3) develop efficient and cost-effective means for
12 identifying students as specific learning disabled, in order to
13 increase the proportion of resources devoted to classroom instruction;
14 and (4) provide a means to grant waivers from state rules.

1 NEW SECTION. **Sec. 2.** The superintendent of public instruction
2 shall:

3 (1) Make ten to twenty-five awards for demonstration projects in
4 individual school districts and cooperatives;

5 (2) Make awards for in-service training of teachers and other
6 staff;

7 (3) Provide technical assistance;

8 (4) Grant waivers from state rules needed to implement the
9 projects, or request such waivers to be granted by the appropriate
10 agency;

11 (5) Contract with school districts for demonstration projects and
12 make contract payments in accordance with sections 1 through 5 of this
13 act;

14 (6) Perform or contract for an evaluation of the projects;

15 (7) Confer on the evaluation design with the selection advisory
16 committee; and

17 (8) Submit to the legislature an interim report on the evaluation
18 by December 31, 1993, and a final report by December 31, 1995.

19 NEW SECTION. **Sec. 3.** (1) The selection advisory committee is
20 created. The committee shall be composed of up to three members from
21 the house of representatives, up to three members from the senate, up
22 to two members from the office of the superintendent of public
23 instruction, and one member from each of the following: The office of
24 financial management, Washington state special education coalition, and
25 Washington education association.

26 (2) The legislative budget committee and the superintendent of
27 public instruction shall provide staff for the selection advisory
28 committee.

29 (3) The selection advisory committee shall:

1 (a) Develop appropriate criteria for selecting demonstration
2 projects;

3 (b) Issue requests for proposals in accordance with sections 1
4 through 5 of this act for demonstration projects to commence during the
5 1991-92 and 1992-93 school years;

6 (c) Review proposals and recommend demonstration projects for
7 approval by the superintendent of public instruction;

8 (d) Advise the superintendent of public instruction on the
9 evaluation design; and

10 (e) Report each year by December 1st on the status of the
11 demonstration projects to the legislative budget committee and the
12 appropriate policy and fiscal committees of the house of
13 representatives and the senate.

14 NEW SECTION. **Sec. 4.** School districts with demonstration
15 projects shall:

16 (1) Confer on a regular basis during project planning and
17 implementation with teachers, support staff, parents of handicapped
18 students, and parents of other students served in the project;

19 (2) Administer annual achievement tests to all students served in
20 the project if required in the project contract; and

21 (3) Cooperate in providing all information needed for the
22 evaluation.

23 NEW SECTION. **Sec. 5.** (1) Project funding may include state,
24 federal, and local funds, as specified by the district in its approved
25 project cost proposal. The superintendent of public instruction shall
26 include all project funding for a participating district in a project
27 contract and disburse the funds as contract payments.

1 (2) As a general guideline, subject to refinements in the district
2 cost proposal and approval by the superintendent of public instruction,
3 the portion of state handicapped funding included as project funding
4 shall be determined as follows:

5 (a) If the district serves specific learning disabled students in
6 the project, the portion of the handicapped allocation attributed to
7 specific learning disabled students shall be included, with
8 proportional adjustments if the project serves only part of the
9 district's specific learning disabled population;

10 (b) If other handicapped students are served in the project, the
11 portions of the handicapped allocation attributed to those students
12 shall be included, with proportional adjustments if the project serves
13 only part of the district's population in those categories of
14 handicapped students.

15 (3) State handicapped allocations shall be calculated for project
16 districts according to the handicapped funding formula in use for other
17 districts, but with the following changes:

18 (a) Except as provided in (b) of this subsection, funding for
19 specific learning disabled and other handicapped students served in a
20 project shall be based for the duration of the project on the average
21 percentage of the kindergarten through twelfth grade enrollment in the
22 particular handicapped category during the two years before the award.

23 (b) Project funding for school districts that had pilot projects
24 approved under section 13, chapter 233, Laws of 1989, shall be based
25 for the duration of a project under sections 1 through 5 of this act on
26 four percent of the kindergarten through twelfth grade enrollment
27 considered as specific learning disabled, without regard to the actual
28 number of students so identified. The legislature recognizes the
29 importance of continuing and developing the pilot projects.

1 (c) The funding percentages for demonstration projects specified in
2 (a) and (b) of this subsection shall be used to adjust basic education
3 allocations under RCW 28A.150.260 and learning assistance program
4 allocations under RCW 28A.165.070.

5 (d) State handicapped allocations under subsection (2) of this
6 section up to the level required by federal maintenance of effort rules
7 shall be expended for services to handicapped students in the project.
8 Allocations greater than the amount needed to comply with federal
9 maintenance of effort rules shall be designated as noncategorical
10 project funds and may be expended on services to any student served in
11 the project.

12 (4) Federal handicapped allocations may be designated in whole or
13 in part for project use, if the amounts are included in the district's
14 approved cost proposal and the project contract.

15 (5) Learning assistance program allocations may be designated in
16 whole or in part for project use, if the amounts are included in the
17 district's approved cost proposal and the project contract. These
18 allocations shall be calculated for project districts according to the
19 funding formula in use for other districts, except that any increases
20 in the district allocation above the fiscal year 1991 amount shall be
21 designated as noncategorical project funds and may be expended on
22 services to any student served in the project.

23 (6) Transitional bilingual program allocations may be designated in
24 whole or in part for project use, if the amounts are included in the
25 district's approved cost proposal and the project contract. These
26 allocations shall be calculated for project districts according to the
27 funding formula in use for other districts, except that any increases
28 in the district allocation above the fiscal year 1991 amount shall be
29 designated as noncategorical project funds and may be expended on
30 services to any student served in the project.

1 (7) Funding under the federal elementary and secondary school
2 improvement amendments may be designated in whole or in part for
3 project use, if the amounts are included in the district's approved
4 cost proposal and the project contract.

5 (8) Funding from local sources may be designated for project use,
6 if the amounts are included in the district's approved cost proposal
7 and the project contract.

8 (9) Expenditures of noncategorical project funds under subsections
9 (3)(c), (5), and (6) of this section shall be accounted for in new and
10 discrete program or subprogram codes designated by the superintendent
11 of public instruction. The codes shall take effect by September 1,
12 1991.

13 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act are
14 each added to chapter 28A.630 RCW.

15 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act shall
16 expire January 1, 1996.

17 NEW SECTION. **Sec. 8.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and shall take
20 effect July 1, 1991.

21 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
22 this act, referencing this act by bill number, is not provided by June
23 30, 1991, in the omnibus appropriations act, this act shall be null and
24 void.