

SENATE BILL REPORT

2ESHB 1989

As Reported By Senate Committee On:
Education, February 27, 2004

Title: An act relating to the learning assistance program.

Brief Description: Changing the learning assistance program.

Sponsors: House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Hunter, Kenney and Rockefeller; by request of Governor Locke).

Brief History:

Committee Activity: Education: 2/24/04, 2/27/04 [DPA, DNP].

SENATE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Johnson, Chair; Finkbeiner, Vice Chair; Carlson, Pflug, Rasmussen and Schmidt.

Minority Report: Do not pass.

Signed by Senators Eide and McAuliffe.

Staff: Heather Lewis-Lechner (786-7448)

Background: Washington's Learning Assistance Program (LAP) was created in statute in 1987. Funding for the program is considered part of basic education. The program is designed to enhance education opportunities for public school students in kindergarten through ninth grade who are deficient in basic skills in reading, mathematics, language arts and readiness skills and who are identified as needing additional services or support through the district's needs assessments. In 1999, budget provisions extended funding for the program to include tenth and eleventh grade students.

Under LAP, each school district that applies for state funds must conduct a needs assessment and develop a plan for the use of the funds. The program plan must include certain listed items and must be submitted to the Office of the Superintendent of Public Instruction (OSPI) for approval. The needs assessment must be updated at least biennially and is determined in consultation with an advisory committee.

Once a program is approved by OSPI, the school district is eligible to receive state funds that are made available for the purposes of such programs. Funds are distributed by OSPI in accordance with the biennial appropriations act. The funds are allocated to the school districts using a formula that includes both student achievement on norm-references tests and a poverty factor.

A non-exclusive list of services or activities which may be supported by an approved LAP is provided in statute and includes: instructional support staff, consultant teachers, in-service

training for teachers or parents of participating students, special instructional programs, tutoring assistance, and counseling.

OSPI must monitor school district programs no less than once every three years to ensure that districts are meeting the requirements of the approved program.

Summary of Amended Bill: The LAP is reorganized with a focus on promoting the use of assessment data when developing programs. Districts are encouraged to place special emphasis on assisting students in the early elementary grades. Participating students are those students in kindergarten through eleventh grade who are not meeting the state achievement standards in the basic skills areas of reading, writing, mathematics and readiness skills. Beginning in 2007-08 participating students will be those students in kindergarten through twelfth grade. Students are identified using statewide tests at the third, sixth and ninth grade levels and the Washington Assessment of Student Learning in the other relevant grades.

School districts must apply for LAP funds and must annually submit a program plan to OSPI for approval. A program plan must include certain listed elements. School districts that have achieved reading and mathematics goals as set by the Academic Achievement and Accountability Commission must have their program approved once the plan and activities submittal is complete. Districts that have not achieved the reading and mathematics goals must have their plans reviewed by OSPI for the purposes of receiving technical assistance in the final development of the plan. Districts that have not achieved the goals and that are in a state or federal program of school improvement shall have their plans and activities reviewed and approved in conjunction with the state or federal program school improvement program requirements. The implementation of the elements in the program plan is phased in over two school years.

Once a program is approved by OSPI, the school district is eligible to receive state funds that are available for the purposes of such programs. Funds are distributed by OSPI in accordance with the biennial appropriations act and the distribution formula must be based on assessment of students and a family income factor.

The services and activities that may be supported by an approved LAP are: extended learning time opportunities, professional development for staff, consultant teachers to assist teachers, tutoring support and outreach activities.

OSPI must monitor school district programs no less than once every four years to ensure that districts are meeting the requirements of the approved program.

The existing laws governing the program are repealed.

Amended Bill Compared to Substitute Bill: The intent section is changed and language is added encouraging districts to place special emphasis on addressing the needs of students in the early grades. The definition of statewide assessments is changed. The term "diverse" is removed in the program activities section in relation to professional development and dealing with the needs of the student population. The distribution formula must be based on assessment of students and one or more family income factors.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: In the current system, the funding is primarily driven out through the student achievement factor and it is creating a yo-yo effect for funding in schools. When students increase their test scores, they can no longer be used to determine the allocation and the funding goes down. Those students, though, are still representative of new students that will be needing the services. By using the poverty factor, schools can identify the same students and have a more stable funding base. In Spokane, there is an increase in poverty every year and yet we are also seeing test scores improve. Spokane has focused our resources on closing the achievement gap and only through the use of these funds have we made gains. School districts need a predictable funding basis and should not be penalized for succeeding and helping their students improve. OSPI supports this version of the bill and the allocation schedule in it. The language "one or more" poverty factors is both giving flexibility while also setting a policy direction for the future and should be kept in. If assessments are going to be kept in as a factor, would like to see that it is not so heavily weighted as it has been in the past. There is also something to be said for creating an incentive for schools that are raising test scores; the current system doesn't do that and we should look into that concept. LAP is a critical program to principals and we need to make sure whatever the funding schedule is that we make sure there are enough resources to work with all students, both high school and early grades.

Testimony Against: None.

Testified: PRO: Rep. McDermott, prime sponsor; Nancy Stowell, Spokane Public Schools; Barbara Mertens, WASA; Judy Hartmann, Governor's Office; Bob Butts, OSPI; Lorraine Wilson, Tacoma Public Schools; Rainer Houser, AWSP.