

# SENATE BILL REPORT

## ESSB 5877

---

As Passed Senate, February 13, 2004

**Title:** An act relating to the learning assistance program.

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

**Sponsors:** Senate Committee on Education (originally sponsored by Senators Johnson, McAuliffe, Kohl-Welles and Rasmussen; by request of Governor Locke).

**Brief History:**

**Committee Activity:** Education: 3/5/03, 2/3/04 [DPS].

Passed Senate: 2/13/04, 27-21.

---

### SENATE COMMITTEE ON EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5877 be substituted therefor, and the substitute bill do pass.

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

**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 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. 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.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** These changes modernize the statutes to reflect changes that have occurred in the past 15 years. This bill modernizes the definitions, recognizes the new state assessments that we have and utilizes new research findings on what works for these students. These changes are consistent with current practices proven to increase the learning experience of these students. From a principal's prospective, the upgrading of this program is

critical and makes a lot of sense. The changes allow us to be more focused and intentional in our actions to help these students. One suggestion would be to consider including 10, 11 and 12 grade students in the language of the bill. Many special education students can and do benefit from LAP, and this program can help these students exit special education.

**Testimony Against:** None.

**Testified:** PRO: Christie Perkins, WA State Special Ed. Coalition; Rainer Houser, AWSP; Judy Hartmann, Governor's Office; Gary King, WEA; Bob Butts, OSPI.

**House Amendment(s):**

- The language encouraging districts to place special emphasis on early grades is removed.
- The language relating to the "most" effective and efficient program practices is added back into the purpose section.
- The definition of "statewide assessments" is changed to include any state or local district assessments.
- The reference to "diverse" relating to professional development that focuses on the needs of the "diverse" student population is included.
- Language is added that beginning in 2005-06, 50 percent of the distribution formula shall be based on an assessment of students and 50 percent shall be based on one or more family income factors.