

SENATE BILL REPORT

2SHB 1182

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 28, 2020

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 Appropriations (originally sponsored by Representatives Santos, Steele, Dolan, Ortiz-Self and Slatter).

Brief History: Passed House: 2/17/20, 97-1.

Committee Activity: Early Learning & K-12 Education: 2/26/20, 2/28/20 [DPA, DNP].

Brief Summary of Amended Bill

- Allows the Learning Assistance Program (LAP) to support school-wide behavioral health system of supports and interventions including social workers, counselors, instructional aides, and other school-based health professionals.
- Requires school districts to expend a portion of LAP funding to address the needs of students in grades K-4 who are deficient in reading or reading readiness skills rather than focus first on these students.
- Requires the Office of the Superintendent of Public Instruction to review LAP requirements and make recommendations on a number of topics, including use of the Washington Integrated Student Supports Protocol, by October 1, 2020.
- Increases the cap on the use of LAP allocations for partnership development from 5 percent to 15 percent.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

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.

Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt, McCoy, Mullet, Pedersen and Salomon.

Minority Report: Do not pass.

Signed by Senators Hawkins, Ranking Member; Holy, Padden and Wagoner.

Staff: Alex Fairfortune (786-7416)

Background: Learning Assistance Program. LAP is designed to provide supplemental instruction and services to assist students who are not meeting academic standards and to reduce disruptive behaviors in the classroom. A student is eligible for LAP services if they score below grade-level standards in reading, writing, or math using multiple measures of performance.

Current state law provides a list of services and activities that may be supported by LAP, including:

- extended learning time opportunities;
- certain professional development for staff;
- consultant teachers;
- tutoring;
- outreach activities and support for parents; and
- up to 5 percent may be used for development of partnerships with community-based organizations, educational service districts, and other local agencies to deliver academic and nonacademic supports.

School districts must use a practice or strategy on a state menu of best practices and strategies, except in certain circumstances.

School districts implementing LAP must focus first on addressing the reading literacy needs of students in grades kindergarten through four who are deficient in reading or reading readiness skills.

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 to have the opportunity for a successful entry into high school. Under the program, 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 under the program includes: alternative school classes and classes at skill centers; inclusion in remediation programs; and reading improvement specialists.

Washington Integrated Student Supports Protocol. In 2016, legislation was enacted that directed the Center for the Improvement of Student Learning to develop the Washington Integrated Student Supports Protocol (WISSP). The purpose of WISSP is to, among other things, support a school-based approach to promoting student success by coordinating academic and nonacademic supports to reduce barriers to academic achievement and educational attainment. WISSP framework includes four components: student needs

assessments, integration and coordination, community partnerships, and a requirement that the program be data driven.

Summary of Amended Bill: The list of services and activities LAP may support is expanded to include:

- a school-wide behavioral health system of supports and interventions for students including social workers, counselors, instructional aides, and other school-based health professionals; and
- intensive reading and literacy improvement strategies.

School districts must expend a portion of LAP funding to address the needs of students in grades K-4 who are deficient in reading or reading readiness skills to improve reading literacy rather than focus first on these students. The cap on the use of LAP allocations for partnership development is increased from five percent to fifteen percent. Outdated language is removed from the LAP statutes.

The Office of the Superintendent of Public Instruction (OSPI) must review LAP requirements and make recommendations to the Legislature by October 1, 2020. The recommendations must address:

- appropriate monitoring and reporting requirements;
- the types of services and activities that can be supported by LAP funds, including whether support for all or portions of the Washington Integrated Student Supports Protocol should be included; and
- whether use of a practice or strategy identified on the state menu should continue to be a criteria of the program.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S): Strikes all provisions in the underlying bill and inserts provisions with the following effects:

- adds an intent section;
- allows the LAP to support school-wide behavioral health system of supports and interventions, including social workers, counselors, instructional aids, and other school-based health professionals;
- allows LAP to support intensive reading and literacy improvement strategies;
- requires school districts to expend a portion of LAP funding to address the needs of students in grades K-4 who are deficient in reading or reading readiness skills, rather than requiring districts to focus first on these students;
- requires the OSPI to review the LAP requirements and make recommendations to the Legislature by October 1, 2020, and the recommendations must address appropriate monitoring and reporting requirements, the types of services and activities that should be supported by LAP, whether the Washington Integrated Student Supports Protocol should be included, and whether the use of a practice or strategy identified on the state menu should be continued; and
- increases the 5 percent cap on the use of LAP allocations for partnership development to 15 percent.

Appropriation: None.

Fiscal Note: Available (Partial).

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

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Second Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This pilot would provide increased flexibility to address student needs. The WISSP framework, when well-integrated, factors in local needs and helps district create efficient, effective, learning environments. The 5 percent cap elimination will help community partners and districts to work together, and provide flexibility to allow for deeper partnerships to ensure student success.

Persons Testifying: PRO: Lucinda Young, Washington Education Association; David Beard, Schools Out Washington; Jeannie Nist, Communities In Schools of Washington; Dave Mastin, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: No one.