

**SENATE BILL 5182**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Saling, Rinehart, L. Smith, Gaspard, Bauer, Bailey and Murray; by request of Legislative Budget Committee.

Read first time January 23, 1991. Referred to Committee on Education.

1 AN ACT Relating to special educational services demonstration  
2 projects; adding new sections to chapter 28A.630 RCW; providing an  
3 effective date; providing an expiration date; and declaring an  
4 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; (4) decrease the  
13 time and cost of eligibility determination procedures for mildly  
14 handicapped students and increase the proportion of program resources  
15 devoted to classroom instruction; and (5) provide a means to grant

1 waivers from state rules, especially those that exceed federal  
2 requirements.

3 NEW SECTION. **Sec. 2.** (1) The project oversight board is  
4 created. The board shall be composed of representatives from the  
5 legislative budget committee, the house of representatives policy and  
6 fiscal committees, the senate policy and fiscal committees, the office  
7 of financial management, and the office of the superintendent of public  
8 instruction.

9 (2) Responsibilities of the project oversight board include:

10 (a) Developing appropriate criteria for selecting demonstration  
11 projects and issuing requests for proposals in accordance with section  
12 1 of this act;

13 (b) Making ten to twenty-five awards for demonstration projects  
14 commencing during the 1991-92 and 1992-93 school years in individual  
15 school districts or groups of school districts;

16 (c) Making awards for in-service training of teachers and support  
17 staff;

18 (d) Contracting with consultants to provide technical assistance;

19 (e) Identifying waivers from state rules needed to implement the  
20 projects;

21 (f) Entering into and terminating contracts with school districts;

22 (g) Performing or contracting for an evaluation of the projects;  
23 and

24 (h) Submitting to the legislature an interim report on the  
25 evaluation by December 31, 1993, and a final report by December 31,  
26 1995.

27 NEW SECTION. **Sec. 3.** The superintendent of public instruction  
28 shall:

1 (1) Issue waivers to school districts needed for implementation of  
2 the demonstration projects selected by the project oversight board;

3 (2) Make contract payments in accordance with sections 1 through 5  
4 of this act to school districts with demonstration projects; and

5 (3) Assist the project oversight board in the administration of  
6 demonstration projects.

7 NEW SECTION. **Sec. 4.** School districts with demonstration  
8 projects shall:

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

12 (2) Administer annual standardized achievement tests to all  
13 students served in the project if required by the board in the project  
14 contract;

15 (3) Cooperate with the project oversight board in providing all  
16 information needed for the evaluation.

17 NEW SECTION. **Sec. 5.** (1) Project funding may include state,  
18 federal, and local funds, as specified by the district in its project  
19 cost proposal and negotiated in the project contract.

20 (2) As a general guideline, subject to refinements in the district  
21 cost proposal and negotiation between the district and the project  
22 oversight board, the portion of state handicapped funding included as  
23 project funding shall be determined as follows:

24 (a) If the district proposes to serve learning disabled students in  
25 the project, the portion of the handicapped allocation attributed to  
26 specific learning disabled students shall be included, with  
27 proportional adjustments if the project serves only part of the  
28 district's learning disabled population;

1 (b) If other handicapped students are served in the project, the  
2 portions of the handicapped allocation attributed to those students  
3 shall be included, with proportional adjustments if the project serves  
4 only part of the district's population of those categories of  
5 handicapped students.

6 (3) Handicapped allocations shall be calculated for project  
7 districts according to the handicapped funding formula in use for other  
8 districts, but with the following changes:

9 (a) Except as provided in (b) of this subsection, funding for  
10 learning disabled and other handicapped students served in the project  
11 shall be based for the duration of the project on the average  
12 percentage of the kindergarten through twelfth grade students in the  
13 particular handicapped category during the two years prior to the  
14 award.

15 (b) The project oversight board may negotiate the level of funding  
16 for school districts that have decreased their learning disabled or  
17 other handicapped enrollment in previous pilot projects and for other  
18 school districts with unusual enrollment trends during the two years  
19 prior to the award.

20 (c) Handicapped allocations up to the level required by federal  
21 maintenance of effort rules shall be expended for services to  
22 handicapped students. Allocations greater than the amount needed to  
23 comply with federal maintenance of effort rules shall be designated as  
24 noncategorical project funds and may be expended on services to any  
25 student served in the project.

26 (4) Learning assistance program funding shall be calculated for  
27 project districts according to the funding formula in use for districts  
28 that do not have demonstration projects, except that any increases in  
29 the district allocation above the fiscal year 1991 amount shall be

1 designated as noncategorical project funds and may be expended on  
2 services to any student served in the project.

3 (5) If a district serves transitional bilingual program students in  
4 a demonstration project, funding for that program shall be based on a  
5 negotiated percentage of the kindergarten through twelfth grade  
6 enrollment, except that any increases in the district allocation above  
7 the fiscal year 1991 amount shall be designated as noncategorical  
8 project funds and may be expended on services to any student served in  
9 the project.

10 (6) Funding under the federal elementary and secondary school  
11 improvement amendments may be designated by a project district for  
12 project use, if the amounts are justified in the district's cost  
13 proposal and included in the contract amount.

14 (7) Funding from local sources may be designated by a district for  
15 project use, if the amounts are justified in the district's cost  
16 proposal and included in the contract amount.

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

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

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