

# HOUSE BILL REPORT

## ESSB 5877

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### As Reported by House Committee On:

Education

**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: 2/19/04, 2/26/04 [DPA].

#### Brief Summary of Engrossed Substitute Bill (As Amended by House Committee)

- Refocuses the state's Learning Assistance Program to encourage the use of assessment data in program design and promote more effective programs for struggling students.
- Creates a process of increasing scrutiny of plans submitted by districts that are not meeting state and federal student achievement and improvement goals.
- Over a four-year period, transitions the funding formula from one that includes both assessment results and one or more family income factors measuring economic need to a formula based exclusively on family income factors measuring economic need.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended. Signed by 11 members: Representatives Quall, Chair; McDermott, Vice Chair; Talcott, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Anderson, Cox, Haigh, Hunter, McMahan, Rockefeller and Santos.

**Staff:** Susan Morrissey (786-7111).

### Background:

Washington's Learning Assistance Program (LAP) has been in operation for 24 years. The program is designed to help students in kindergarten through ninth grade who need additional time and assistance to achieve basic skills in reading, mathematics, language arts and academic readiness. School districts apply to the Office of Superintendent of Public Instruction (OSPI) for program funds, each submitting a program plan to the agency. The OSPI must approve the districts' program plans before any funds are released. The plans may include a variety of activities and services targeted to struggling students. However, they must include the following activities: consulting teachers, instructional support staff, in-service training for classroom teachers and parents, tutoring assistance, counseling services, and special instructional programs.

Since the second Doran decision in 1983, funding for the LAP has been considered part of basic education. The Legislature has appropriated \$129.4 million for the program for the 2003-05 biennium. The money is allocated to school districts using a formula that includes both student achievement on norm-referenced tests and a poverty factor. The formula is included in the state's biennial budget. Once the districts have received the funding, they may distribute it as necessary to assist eligible low-performing students anywhere in their districts. In many districts, the LAP funds are blended with funding from the federal Title I program. During the biennium, Washington received \$307 million for the Title I program. The combination of these funds provides \$436.6 million to school districts during the 2003-05 biennium to meet the specific learning needs of struggling students.

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### **Summary of Amended Bill:**

The LAP is refocused to encourage school districts to use assessment data when developing programs to assist underachieving students and to guide districts in their efforts to provide effective and efficient program practices. The program will help participating and underachieving students in kindergarten through the eleventh grade who need additional assistance in reading, mathematics, writing, or in the readiness skills associated with those subjects. Beginning with the 2007-08 school year, students in grade twelve will be eligible for program services. The students will be identified using state required criterion and norm-referenced assessments.

School districts must apply annually to the OSPI for LAP funds. In order to receive the funds, the districts must develop and obtain the OSPI approval of a LAP plan. The new planning requirements are phased in over the next two school years. Plans submitted for the 2004-05 school year are encouraged to include one or more of the activities included on a list in the legislation. Plans submitted for 2005-06 and later school years will include district and school-level data on reading, writing and mathematics, the processes to be used to identify underachieving students, student achievement goals, and the components of accelerated learning plans for participating students. The district plans will also describe how the school will use assessments and intentional instructional

strategies, staff development plans, plans to coordinate resources, and school improvement plans to support underachieving students. Finally, the plans will include a program evaluation component.

The LAP program may be used to support extended learning, focused professional development, consulting teachers, tutoring, and parent outreach and support.

The OSPI will adopt rules for the program and monitor district implementation at least once every four years. School districts that achieve the state reading and mathematics goals will have their plans automatically approved once the district has submitted a complete program plan. School districts that have not met the goals and are not in a state or federal improvement program will receive technical assistance with their plans from the agency. School districts with one or more schools in state or federal program improvement will receive approval if the plan meets the requirements of the improvement program.

Every school district with an approved plan is eligible for funding through the LAP. The funds will be distributed based on the instructions in the biennial appropriations act. Until the 2008-09 school year, the distribution formula for LAP will be based on an assessment of students and one or more family income factors measuring economic need. For the 2008-09 school year and beyond, the formula will be based exclusively on one or more family income factors measuring economic need. Between the 2005-06 and 2008-09 school years, the formula will be phased toward the exclusive use of family income factors.

The existing laws governing the program are repealed.

**Amended Bill Compared to Engrossed Substitute Bill:**

The intent section is revised to remove an emphasis on early grades. The definition of "statewide assessments" is revised to include local basic skill tests. Local LAP programs will be designed to meet the needs of a diverse student population instead of a student population. The funding formula will transition over a four-year period to one that is exclusively based on family income factors measuring economic need.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** The LAP is the state program that provides remediation for struggling

students who need help with basic reading and mathematics skills. The changes proposed in this legislation are essential to help raise the achievement levels of these students.

(Concerns with unamended bill) The funding formula needs to transition to a formula based exclusively on family income. Under the funding formula in the Senate bill, schools like Beamis Elementary that have raised the achievement levels of students from very low income homes would lose the state funding they need to sustain those achievement levels. In addition, the programs need to be designed to meet the needs of students from diverse backgrounds. The funding formula in the House companion bill, HB 1989, is preferable, since it is based exclusively on family income factors.

**Testimony Against:** None.

**Persons Testifying:** (In support) Senator Johnson, prime sponsor.

(In support with concerns) Bob Butts, Office of the Superintendent of Public Instruction; Gary King, Washington Education Association; and Cheryl Ellsworth, Seattle Public Schools.

(In support of HB 1989) Lorraine Wilson, Tacoma Public Schools; and Barbara Mertens, Washington Association of School Administrators.

**Persons Signed In To Testify But Not Testifying:** None.