

# AMPLE SCHOOL FUNDING PROJECT FOR WASHINGTON STATE

## LEARNING ASSISTANCE PROGRAM FUNDING ISSUES

### SUMMARY

- The Learning Assistance Program (LAP) is a state-funded program designed to provide additional assistance to students not meeting standards on statewide assessments.
- LAP was created by the 1979 Legislature but was not initially designated as a basic education program. The legislature did not fund LAP separately and in 1981 the legislature began funding LAP as part of a block grant program that commingled funding of various programs.
- The legitimacy of the block grant method of funding LAP was part of a 1983 school funding lawsuit. In 1983 Judge Doran held that LAP was a basic education program requiring full funding by the state since the program was necessary if students eligible for the program were to attain the goal or reach any reasonable level of achievement in the regular education program established in the 1977 Basic Education Act.
- Following the lawsuit, the legislature began funding LAP as a stand-alone program in 1984-85. The initial funding rate per eligible student was dependent on the outcome of the political budgetary process rather than a study of amounts needed.
- Although the legislature has increased the span of grades covered by the program from grades 2-6 to grades K-11, the funding rate has not been changed since 1984-85 other than to reflect state granted salary and health benefit increases.
- State education reform requirements enacted in 1993 changed the goal of basic education from one of universal access to education to one of universal success for all students. Success by students is demonstrated through reaching proficiency on the Washington Assessment of Student Learning (WASL).
- In 2003-04 more than half of Washington's students did not attain proficiency on the WASL, and in particular, 61 percent of 10th graders did not meet the WASL standards, a prerequisite for high school graduation in 2008.
- The 2004 Legislature linked LAP and education reform. LAP is the principal state program providing state assistance for students not reaching proficiency on the WASLs.
- Previous state studies of the LAP program have concentrated on the operations of the program but not the adequacy of the state funding to attain the state's educational objectives.
- That such numbers of students do not attain proficiency on the WASLs raises questions about the adequacy of funding for the core, regular education of students and the adjunct programs providing additional assistance to students.
- The 2005 Legislature provided funding for a comprehensive K-12 funding study to take place in 2005 and 2006. This study may determine the appropriate level of funding for LAP in order to reach the state's educational objectives for its students as established under education reform.

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# Executive Summary

## Rationale for the Ample School Funding Project

The Washington Association of School Administrators (WASA) initiated the Ample School Funding Project in November 2003. The project emerged from the growing perception that the State of Washington has not met its constitutional responsibility to make ample provision for education as required by the Washington State Constitution. This has led to increased frustration by the K-12 community in meeting new state and federal educational expectations with insufficient resources to accomplish the tasks delegated to them.

WASA established this project to study our state's K-12 finance system on a program-by-program basis. This research paper is the fourth of a series of papers concerning state funding of the learning assistance program and the extent to which it meets the requirements of the state Constitution to make ample provision for the education of resident children through a general and uniform system.

## Background

The Learning Assistance Program (LAP) is a state-funded program to provide remediation assistance to students in grades K-11 not meeting standards on statewide assessments. The main program for the core regular education of students is the apportionment program receiving \$4.19 billion or 80.5 percent of the \$5.20 billion in state funds allocated to the public schools in 2003-04. In contrast, state LAP allocations were \$64.3 million or 1.2 percent of total state funds.

LAP is one of the five designated state basic education programs. The other four programs are apportionment, special education, transportation and bilingual. Basic education programs have protections stemming from court interpretations of Article IX, Section 1 of the Washington State Constitution, which states that:

*“It is the paramount duty of the state to make ample provision for the education of all children residing within its borders ....”*

In 1983, in a school-funding lawsuit concerning Article IX, Judge Doran found that the Learning Assistance Program was a basic education program requiring “ample” funding by the state. Judge Doran also held that “these programs [*Learning Assistance and Bilingual*] are necessary if the eligible students are to attain the goal or reach any reasonable level of achievement in the regular programs, as established in the Basic Education Act.”<sup>1</sup>

State education reform requirements enacted in 1993 changed the original 1977 goal of the Basic Education Act, from that of providing universal access to education for all students (equal educational opportunity), to one of universal success for all students. The basic requirement determining student success is attainment of state defined essential learning academic

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<sup>1</sup> Seattle School District, et al. v. State, Thurston County No. 81-2-1713-1 (1983) , 156

requirements demonstrated through reaching the proficiency standard on the Washington Assessment of Student Learning (WASL).

WASL results from 1999-00 to 2003-4 indicate that the educational performance of students and schools has improved substantially. However, in 2003-04, more than half the students taking the test did not meet the WASL standards in all three subjects tested, and in particular, 61 percent of 10<sup>th</sup> graders did not meet WASL standards, a prerequisite for high school graduation in 2008.

That the majority of students perform below standard on the WASL raises questions about the adequacy of the state's response to the educational needs of students. In 2002-03, Washington State had the fifth largest number of student per teacher in the country and was at 89 percent of the national average in current expenditures per student.

The state and its 296 school districts have been engaged in an education reform process for more than a decade. The state has funded various education reform programs to assist school districts in implementing education reform and significant improvement has taken place. The state has also increased the span of grades covered by LAP and made changes in the distribution formula. However, funding of LAP and of focused assistance for struggling schools under education reform have depended on the outcome of the political budgetary process and has been limited to dollars available rather than through a study of amounts needed to attain the state's educational objectives.

The estimated state cost to maintain the state's current Learning Assistance Program for 2005-07 is \$134.5 million.<sup>2</sup> For 2005-07, the Superintendent of Public Instruction (SPI) submitted an adequacy based LAP budget, requesting a budget increase of \$190 million for students not meeting WASL standards in grades 10-12. The SPI proposal for just grades 10-12 illustrates the magnitude of the potential funding gap between current state LAP funding levels and amounts that may be needed for adequate funding of the program.

For 2005-07, the 2005 Legislature increased LAP funding by almost \$25 million to provide districts with additional resources to serve high school students not meeting standard on the 10<sup>th</sup> grade WASL.

## **Conclusion**

The Learning Assistance Program is the largest state K-12 program intended to help underachieving students. That such large percentages of Washington students do not meet WASL standards raises questions concerning the adequacy of LAP funding to provide the extra time needed by students to achieve at significantly higher levels as contemplated when the 1993 legislature enacted education reform.

Adequacy of state LAP funding should not be viewed in isolation. Three main factors impinging on the adequacy of state LAP funding are:

- The rigor of the state's educational standards

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<sup>2</sup> Office of Financial Management, Olympia, WA: *Recommendation Summaries*, Gov. Gregoire 2005-07 Budget Request, 357

- The adequacy of state funding of other basic and non-basic education programs to meet the standards, and
- The need for remediation services for students not able to meet the state's educational standards

Since enactment of Education Reform in 1993, various requests have been made for a comprehensive K-12 funding study to determine the amount of dollars needed to meet the state's educational objectives. Previous K-12 studies performed at the request of the legislature have not considered adequacy of funding. However, the 2005 Legislature has funded a comprehensive K-12 funding study scheduled to begin in 2005 with a final report due in November of 2006.

The proposed study will culminate near the time that the class of 2008 must have passed the WASL in order to graduate from high school. In the meantime, the 2005 Legislature provided \$24.6 million in increased LAP funding to provide additional resources to districts for serving high school students not meeting 10<sup>th</sup> grade WASL standards.