

# LEARNING ASSISTANCE PROGRAM



Remember the sage observation: Good intentions do not necessarily guarantee good results. Seldom is this counsel more vital—and more difficult to apply—than when educating students struggling to learn. Vigorous evaluation of learning assistance programs is essential, since programs negligently or mistakenly perpetuated for even a few years can have a devastating impact on vulnerable students' lives.

Our state's Learning Assistance Program (LAP) has a worthy goal, that of providing temporary assistance to students who are struggling in school. Achieving this goal, however, requires more than the good intentions of legislators, judges, administrators and teachers. In addition to combining local flexibility with an understanding and utilizing of best practices, reaching this goal requires proper incentives and accountability for results.

Until the mid-1970s, our public education system frequently ignored or institutionalized children with disabilities. To help end this public disgrace, Congress intervened with numerous federal laws and, in the process, gave parents of such children extraordinary rights. The intentions were good, but what about the results? Special education and various learning assistance programs have become a bureaucratically bound, legally entangled growth industry frustrating parents, teachers, administrators and students.

Once a child has been designated learning disabled, districts must decide what the student needs in the way of services: medical or psychological specialists, uniquely qualified instructors, specialized learning environments, private aides, etc. A specially crafted plan, updated biennially, must be established for each child in concert with a team of individuals, sometimes including a legal advocate for the child. Districts that do not pay for “appropriate” student assistance often find themselves facing a judge. Sadly, some parents have learned to “work the system” to obtain extremely expensive special services for their children, even when those services are unwarranted, or could be paid for privately.

While detailed and costly planning of this nature may be appropriate for students with serious problems, many students currently receiving learning assistance need far less complex and costly services. Getting extra help in a regular classroom is sometimes the best solution, but extra funding is generally unavailable for this. The incentive, therefore, is to create specialized remedies for students so they and their schools will be eligible for federal and state funds.

## History and purpose of the Learning Assistance Program

In 1979, as one part of the response to the first Doran court decision requiring the legislature to fund

basic education,<sup>1</sup> lawmakers developed a program for students with special needs. Focusing on both actual learning problems and low academic performance, the legislature created the Remediation Assistance Program with the intention of helping low-performing children get the extra help they needed to attain basic skills. Originally, the Remediation Assistance Program provided funds for grades two through six. It was expanded during the 1980’s to include kindergarten through ninth grade, adding grades ten and eleven in 1999. The name was officially changed to the Learning Assistance Program (LAP) in 1987.

Since a “special needs” student has never been formally defined, no objective measurement exists to determine whether the program has accomplished its goals.

## Federal funding

### Title I

Many aspects of the Learning Assistance Program are influenced by the parallel federal program, Title I. Funding for the Title I program is primarily based on the number of children from low-income families in each district.<sup>3</sup> Districts allocate funds to individual schools using the same criterion. Title I provides federal dollars to school districts for projects of a similar nature to those funded by LAP, as well as other activities such as school improvement funds and services to neglected or delinquent children.<sup>4</sup>

A school that has a fifty percent or higher poverty level can implement a Title I schoolwide program. Schoolwide programs permit schools to classify every child as a Title I student and expend money according to a plan to improve school performance as a whole, with hopes that the lower-performing students will be helped. In Washington state, 112,624 students are served in schoolwide programs.<sup>5</sup>

## Program methods

Washington’s Learning Assistance Program has various forms, reflecting the different needs of the students and the local nature of much of the decision-making. The district is responsible to develop a plan after consultation with parents, teachers, principals, administrators, and school directors. The district must update the plan biennially.<sup>6</sup>

Each of these plans is required to include the method used in determining student

### *Stated purposes of LAP*

LAP has three stated purposes:

- 1) increasing the educational performance of students with “special needs” who are “deficient in basic skills achievement within the regular classroom”;
- 2) helping basic education teachers deal with learning problems in their own classroom; and
- 3) encouraging development of new methods to assist special needs students.<sup>2</sup>

eligibility for the program, specific services to be provided and an estimate of their costs, plans for the annual evaluation, and record keeping. The local school board must approve the plan. Often the plan incorporates specific programs developed by each eligible school. These schools then receive funding from their respective districts. The district plans are submitted to the Office of the Superintendent of Public Instruction (OSPI) for formal approval. OSPI is required to evaluate these plans at least once every three years.

### Staffing

LAP is staffed by certified teachers, paraeducators or classified teachers, administrators, and other employees such as counselors and secretaries. In the 1999-00 school year, about 58 percent of all LAP employees—nearly 5,000 statewide—were paraeducators or classified teachers.<sup>7</sup> LAP Facilitators are supposed to help teachers in the implementation of student education plans, with assessment, and with further training.

Of the money spent on LAP, nearly 92 percent pays for staff salaries and benefits.<sup>8</sup>

### Program models

LAP teachers or educational assistants may work with students on an individual basis or as a group either in a normal classroom setting or in a specialized class. The “in-class” model is the most common and typically employs aides for targeted students working in a regular classroom.<sup>9</sup> Another plan, known as the “pull-out” model, takes the child out of the regular class setting to receive one-on-one assistance or instruction in a small group. When the specialized assistance replaces a full period of class work, it is known as the “replacement” model. Many students use a combination of the “in-class” and the “pull-out” model, with emphasis placed on keeping the child in the regular classroom setting as frequently as possible.

### Additional Program Services

In addition to teaching, counseling services may be available to students. Spokane Public Schools, for example, offers counselor assistance to improve student academic performance “by enhancing their self-esteem and social skills within the classroom setting.”<sup>10</sup> Critics of this program question whether improving self-esteem with the goal of improved academic performance will be more effective than improving academic performance

	Number of Students Served	Percent of Total
Reading	93,845	41.9
Mathematics	73,137	32.7
Language Arts/Writing	45,235	20.2
Study Skills	7,465	3.3
Science	2,062	0.9
Social Studies	2,118	0.9
<b>Total</b>	<b>223,862</b>	<b>100</b>

\*Students are often served in more than one subject area, so the numbers reflected by subject area may be a duplicated count.

Table LA-1: Number of students served by subject matter. Source: Washington State Learning Assistance Program, OSPI Report, June 2001

with the benefit of enhanced self-esteem. The lack of objective program evaluation prevents educators and administrators from knowing whether this program actually results in higher student achievement.

LAP also funds instruction time outside normal class hours, including tutoring times before and after school and special summer activities. Summer programs are intended to grant greater flexibility and enhance and strengthen skills studied throughout the regular school year. The school may also attempt to get parental involvement and reinforcement for the program, but this will not help those students who are struggling academically because they already lack parental involvement.

### Students served

Because the legislature has not clearly defined which students are to be served by LAP, those actually served are not necessarily the students who scored in the bottom quartile (the number used to generate funding). Research by the Legislative Budget Committee indicated that many districts also used the funds for students in the second-lowest quartile (25th-50th percentile.)<sup>11</sup> The decision about which students will be assisted by the program is made by local assessments—usually testing and teacher recommendations.

The demographics of students served tend to follow patterns. Minorities are enrolled in LAP in greater percentages than their share of the overall student population.<sup>12</sup> Approximately 15 percent of students identified as scoring below grade level were identified

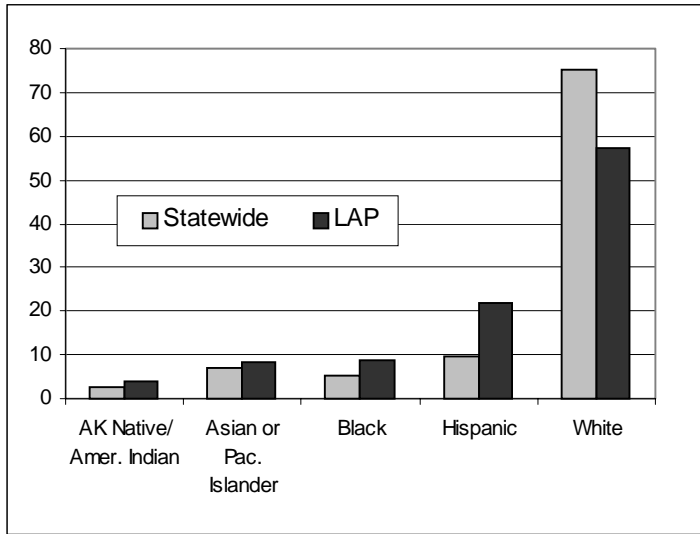


Chart LA-1: Percent of students race/ethnicity. Source: Washington State Learning Assistance Program, OSPI Report, June 2001

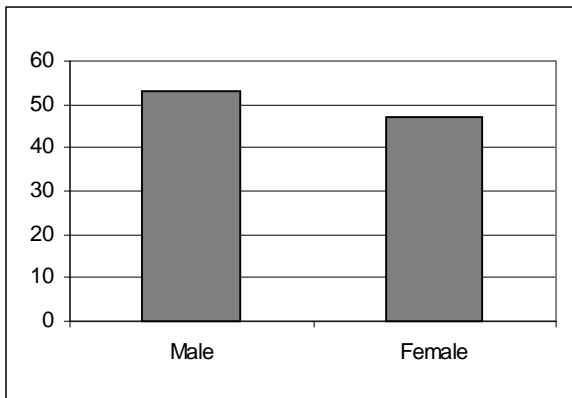


Chart LA-2: Percent of students served by gender. Source: Washington State Learning Assistance Program, OSPI Report, June 2001

as having limited English proficiency.<sup>13</sup> Males are consistently served more than females: 53.1 percent versus 46.9 percent for females.<sup>14</sup>

### Success measurements

In the past, LAP results were measured by pre- and post- standardized norm-referenced tests. However, this testing requirement as mandated by Title I, was dropped after the 1994-95 school year. Statistics up to that year (94-95) indicated that low-performing students were improving when measured against the normal curve equivalents (NCE), or average student learning over a year's time.<sup>15</sup> Little information was available, however, on whether this improvement was attributable to LAP programs, to independent causes or both.

Currently, every district is required in its initial biennial program plan to include a strategy for annual evaluation based on two components: "program objectives related to basic skills achievement" and development of a reporting method for the Office of the Superintendent of Public Instruction (OSPI).<sup>16</sup> The OSPI is required to monitor school districts to ensure compliance with their own plans. Since each district develops individual plans, comparison between districts is difficult, if not impossible.

Exit statistics of students leaving LAP have never been gathered consistently. The Legislative Budget Committee found that approximately 18 percent of students left LAP in the 1992-93 school year, but only about a third of that number left because they no longer needed services. Length of time in the program was found to vary significantly based on local district philosophy. More commonly, students leave the program at one district because they have moved.<sup>17</sup>

Evaluation of the Learning Assistance Program tends to focus on the process: how many students are served, how much time is spent, etc., rather than on the stated goal, that of improving student performance. To date, no long-term studies have been completed to find the overall effectiveness of LAP. To investigate the issue further, the 2001 Legislature allocated funds to have the Washington Institute for Public Policy, a taxpayer-funded research group from the Evergreen State College, evaluate and study the LAP funding formula and to issue a report by June 30, 2002.

## LAP funding

### Test score factor

As previously stated, students who score in the lowest 25 percent on the state's standardized tests are eligible for LAP programs. The funding formula is currently based on norm-referenced tests such as the Iowa Test of Basic Skills. The WASL (Washington Assessment of Student Learning) scores may be used by districts to assign need, but its scores do not affect funding.

The funding formula multiplies the district's past average test results in the lowest quartile by the full-time enrollment to arrive at a number of eligible students. The number is then multiplied by 92%, and then by the legislature's funding per student formula to arrive at the district's total LAP allocation.<sup>18</sup> For the 2001-02 School Year, \$408.38 has been allocated per LAP unit.<sup>19</sup>

### Sample calculation for LAP funding

1. District's FTE projected enrollment for K-6th grades = 806 students
2. District's 5-year average for 3rd grade low-quartile percentage = 20.26%  
Multiply (806 students x 20.26% = 163.30 students)
3. District's FTE projected enrollment for 7th -9th grades = 411 students
4. District's 5-year average for 6th grade low-quartile percentage = 19.56%  
Multiply (411 students x 19.56% = 80.39 students)
5. District's FTE projected enrollment for 10th and 11th grades = 250 students
6. District's 5-year average 9th grade low-quartile percentage = 20.00%  
Multiply (250 students x 20.00% = 50.00 students)
7. Add totals from numbers 2, 4 and 6, above:  
(163.30 students + 80.39 students + 50.00 students = 293.69 students)
8. Multiply total from number 7 by 92%  
(293.69 students x .92 = 270.19 students)
9. Multiply total from number 8 by \$408.38/pupil  
(270.19 students x \$408.38 = \$110,340)<sup>20</sup>

Because this is a funding formula, not an expenditure formula, the money thus obtained by the district can be spent on any student.<sup>21</sup>

### Socioeconomic factor

In 1995 the legislature allocated additional LAP funding based on socioeconomic status. If the district's prior year October headcount of students eligible for reduced cost or free lunches is above the state average, the district qualifies for greater funding. This is determined by calculating the amount by which the district's poverty percentage exceeds the state average and then multiplying it by the annual average enrollment. This number is then multiplied by 22.3 percent, and then by the per student figure to arrive at the additional resources allocated for poverty.<sup>22</sup> An example:

1. District average free and reduced price lunch percentage = 46%
2. Subtract statewide free and reduced price lunch average (31%) from the district average (46%) = 15%.
3. Multiply 15% x 1567 (estimated 2001-2002 K-12 FTE enrollment) = 235.05 students
4. Multiply 235.05 students x 22.30% = 52.42 students x \$408.38 = \$21,407.<sup>23</sup>

The legislative inclusion of the poverty factor reflects the controversial belief that the correlation between student performance and poverty can be best addressed by focusing on poverty. Indeed, many are now advocating that the legislature tie LAP funding primarily or solely to poverty.

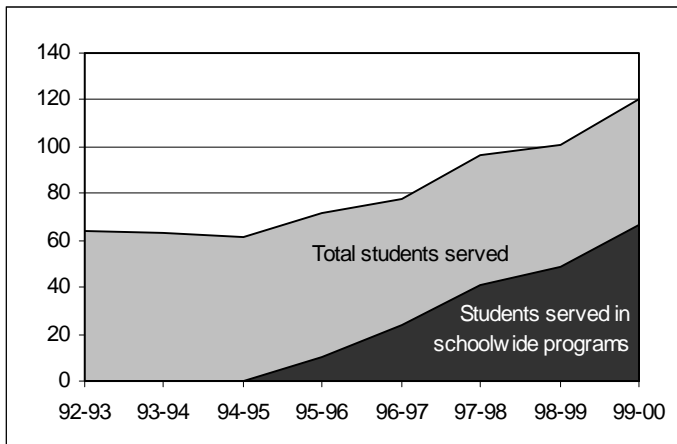
### Program and funding growth

LAP usage and funding has increased dramatically since its inception. Over the past 22 years, LAP allocated funds have grown from \$12 million in the 1979-81 biennium, to \$108 million in 1993-95, to a projected allotment of \$139.4 million for the 2001-03 biennium.<sup>24</sup> This mirrors nationwide spending trends.) LAP expenditures rose especially dramatically for the 1999-00 school year, to \$72.6 million, an increase of nearly 17 percent from the previous school year and about 37 percent since 1994-95.<sup>25</sup>

The number of students served by the program has increased even more rapidly. In the past eight years alone the number of students served has increased

	Total Direct Program Expenditures	Number of Students Served by LAP	LAP Ex per Pu
<b>94-95</b>	\$53,125,146	61,715	
<b>95-96</b>	\$54,572,349	71,770	
<b>96-97</b>	\$58,429,725	77,697	
<b>97-98</b>	\$61,195,779	96,146	
<b>98-99</b>	\$62,276,834	100,471	
<b>99-00</b>	\$72,573,208	119,957	

Table LA-2: LAP Expenditure Trends. Source: Washington State Learning Assistance Program, OSPI Report, June 2001. These numbers do not reflect the socioeconomic allocation.



*Chart LA-3: Students served by LAP. Source: Washington State Learning Assistance Program, OSPI Report, June 2001*

from approximately 64,000 in the 1992-93 school year to about 120,000 students during the 1999-00 school year.<sup>25</sup>

But the growth in students served is attributable to increases in the grades covered (Grades 10 and 11 were added in 1999), and to changes in counting student eligibility. Since the 1995-96 school year, the Office of the Superintendent of Public Instruction (OSPI) has allowed three different counting procedures that can be used by schools with a Title I schoolwide program. These districts can now:

- “Divide LAP dollars in the building by a per pupil amount and count the number of students that would be served.
- Consider using one grade level within the building to represent the LAP students if the teacher is funded by LAP.
- Select a group of students identified as needing LAP services.”<sup>27</sup>

These measurement systems resulted in an apparent increase in the count of students served, especially in schoolwide programs. The uncertainty stems from the funding formula where the number of eligible students may not translate into actual students served. As can be seen from *Chart LA-3*, all of the growth in the number of students served has been in the *schoolwide* programs (defined on page 2), which does not necessarily reflect students actually receiving assistance.

### Students served vs. students funded

As previously mentioned, no direct link exists between the formula used to calculate a school’s allocation under LAP and the students actually served by the program. A 1995 study released by the State of Washington

Legislative Budget Committee reported that “the numbers served in LAP [we]re much lower than the numbers of units generated by the funding formula. . . . In the 19 districts that were studied, the funding formula generated 28,853 units, while we found an average LAP enrollment in the districts of 12,145” (less than 50 percent of the number funded).<sup>28</sup> Local schools tended to serve fewer students and have a much higher allocation per student than expected by the legislature.

### Funding schedule

Currently, LAP funding is based on a district’s monthly enrollment. Enrollments can fluctuate enough to change LAP funding each month. The Office of the Superintendent describes this problem as requiring districts “to aim at a moving target as they structure the program, make purchasing decisions, and hire staff for the coming year.”<sup>29</sup>

This has prompted several districts to ask that they be permitted to use the previous year’s average enrollment to determine their funding allocation, even though this might cause a slight drop in dollar resources. For them, the stability created would be worth the tradeoff. Some stability in the funding formula was created starting in the 1994-95 school year, when districts were permitted to carry over up to ten percent of unspent LAP funds to the following year as long as the money was still used for LAP purposes.<sup>30</sup> This does help alleviate the need to spend frantically at the end of a budget cycle.

### Conclusion

It is one thing to determine that low-performing students need additional help to acquire basic academic knowledge. It is quite another thing to make sure funds appropriated for that purpose actually benefit the students who need the help.

Centralized programs like LAP provide an opportunity for what economists call bureaucracy theory. Bureaucracy theory postulates that once a program/service becomes centrally administered and individual incentives are removed, the program will continue to grow and create its own bureaucracy. Original intentions are lost, incentives shift, and the new goal (sometimes unwittingly) becomes perpetuation of the bureaucracy.

After more than twenty years of operation, policymakers and educators need to ask, “Is LAP fulfilling its mission to ‘increase the achievement of students with special needs in a shorter period of time?’”<sup>31</sup> Some

of our recommended changes required action by lawmakers. Others may be implemented by school districts with little or no legislative assistance.

## Recommendations

- *The legislature needs to conduct a thorough study of LAP*, which should include the following actions:

- 1) Clearly define the goals and scope of LAP. Answer the question: What is a “special needs” student? What are his or her rights under the law?
- 2) Objectively determine the components of a successful LAP program.
- 3) Require consistent pre- and post-testing across districts to evaluate whether students are improving.
- 4) Streamline the process and provide legal protection for educators and school districts allowing them more time to assist students rather than filling out reams of paper to ensure renewed funding and to stay out of court.

- *Consider a new funding model: Census-based financing.* As of this writing, two states, California and Pennsylvania, as well as the federal government’s special education allotments are based on census-based financing. Schools are not reimbursed for special education costs. Assuming that special needs students occur with regular frequency, districts are reimbursed based on enrollment. The federal government’s allocation is also poverty-adjusted.

As it currently stands in our state, only a theoretical connection exists between the way funding is calculated and the way funding is spent. Further, the current formula provides a perverse incentive for districts and schools to look for new ways to funnel students to learning assistance or special education programs.

Some have suggested removing this incentive and some of the funding uncertainties by basing the program entirely on a poverty calculation.

However, this separates the funding calculation from the program goals. If the goal of the LAP program is simply to send more money to some school districts, then its purpose should be open and the application process should be simplified

so that time is not wasted on meaningless paperwork. But if the goal of the LAP program is to improve student performance, funding based on poverty levels will provide no motivation to do so.

- *Coordinate aspects of similar programs.* LAP and the federal Title I program fund similar services. Some students served by LAP also receive services in other areas from special education funding or through bilingual education. The legislature and school districts should investigate the extent to which parallels in the programs increase administrative costs or duplicate efforts. A clearer definition of which students are to be served by LAP may help target resources to where they are needed.
- *Contract out for program services.* Parents who have the financial resources to do so often contract with private tutors to help their children when they struggle in school. Public schools should consider contracting out more tutoring services to help low-performing students. Some cities and states have begun this process for special education students already. Florida began granting vouchers with extra funding for students with disabilities in 2000-01.
- *Invest in teacher training*, especially for teachers of students in K-3. Early intervention is critical, and many students may need less intensive and less costly remediation if problems are detected and addressed in the early primary grades.

## Endnotes

1. Seattle School Dist. v. State, 90 Wn. 2d 476 (1978)
2. Washington State Superintendent of Public Instruction, *Washington State Learning Assistance Program Annual Report 1999-2000*. (Olympia: OSPI, 2001), 3.
3. U.S. Department of Education, "Title I Grants to Local Education Agencies," 22 November 2000 <<http://www.ed.gov/offices/OUS/title1desc.html>> (24 August 2001).
4. Superintendent of Public Instruction, "Title I/LAP," 4 April 2001, <<http://www.k12.wa.us/title1/lap/lapcompare.asp>> (24 August 2001).
5. Superintendent of Public Instruction, "WebApps 2000 Database Information," 4 April 2001 <<http://www.k12.wa.us/title1/facts/facts.asp>> (29 August 2001).
6. RCW 28A.165.040.
7. Superintendent of Public Instruction, *LAP Report 1999-2000*, 13.
8. *Ibid.*, 15.
9. Washington State Legislative Budget Committee, *K-12 Learning Assistance Program Fiscal Study: Report 95-2*. (Olympia: Legislative Budget Committee, 19 January 1995), 8.
10. Spokane Public Schools, "Program Components" <<http://www.sd81.k12.wa.us/LAP/components.stm>> (24 August 2001).
11. Legislative Budget Committee, Report 95-2, 15.
12. Superintendent of Public Instruction, *LAP Report 1999-2000*, 9.
13. *Ibid.*, 11.
14. *Ibid.*, 10.
15. Legislative Budget Committee, *Report 95-2*, 10.
16. RCW 28A.165.040(3).
17. *Ibid.*, 9
18. Superintendent of Public Instruction, *LAP Report 1999-2000*, 27.
19. *Ibid.*, 27.
20. Adapted from Superintendent of Public Instruction, "Learning Assistance Program," <<http://www.k12.wa.us/title1/lap/lap.asp>> (29 August 2001).
21. Superintendent of Public Instruction, "Learning Assistance Program" 8 March 2000 <<http://www.k12.wa.us/accountability/Information%20Prior%20Meetings/030600/k12fundasld023.htm>> (24 August 2001)
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24. Legislative Budget Committee, Report 95-2, ii. Superintendent of Public Instruction, *LAP Report 1999-2000*, 27.
25. Superintendent of Public Instruction, *LAP Report 1999-2000*, 14.
26. *Ibid.*, 4.
27. *Ibid.*, 4.
28. Legislative Budget Committee, *Report 95-2*, 20.
29. Superintendent of Public Instruction, *LAP Report 1999-2000*, 17.
30. WAC 392-122-900(4).
31. RCW 28A.165.010.