

April 17, 2014

TO: Title I, Part A/LAP District Directors

FROM: Gayle Pauley, Director
Title I, Part A/LAP and Consolidated Program Review

After a review of the Learning Assistance Program (LAP) rule changes from 2013, the Office of Superintendent of Public Instruction (OSPI) has determined that districts will have one more year to transition their LAP to meet the new legislative requirements.

Below are questions that districts may have during this transition.

- 1. Does LAP have to be spent to meet the focused first requirement for the 2014–15 school year?** No, because of the timeline in RCW 28A.655.235, districts are not required to meet the focus first requirement with their LAP funds on K–4 reading until 2015–16. Additionally, the federal supplant provision will not be violated because through school year 2014–15 LAP funds will meet the same intent and purposes as Title I, Part A funds, and therefore may be excluded from the supplanting test, per federal rules for exceptions to supplanting requirements.

For school year 2015–16, LAP (RCW 28A.165.005) funds must first focus on addressing the needs of students in grades kindergarten through four who are deficit in reading or reading readiness skills to improve reading literacy. LAP must be used to meet the requirement to serve all schools where 40 percent or more of their third grade students are below basic and/or for any student who received a score of basic or below basic on the third grade statewide student assessment in English language arts.

Therefore, OSPI has determined that districts may continue to follow the LAP general guidance during the 2014–15 school year. For some districts, this will allow another year of transition to meet all LAP requirements in 2015–16. For districts that have moved to meet the LAP requirements, you are ahead of the game. **In 2015–16, districts must meet all LAP requirements as defined in RCW 28A.165.**

- 2. RCW 28A.165.035 states that in the 2015–16 school year, expenditure of funds from LAP must be consistent with this RCW. Does this mean LAP funds must be spent for these purposes?** Yes, LAP funds must be spent first to:
 - serve all K–4 students in schools with less than 40 percent proficiency on the third grade reading state assessment; and/or
 - serve any student who received a score of basic or below basic on the third grade statewide student assessment in English language arts.

If LAP funds are not sufficient to fund the intensive reading and literacy improvement strategies for all students in grades K–4 not reading at grade level, then basic education or other allowable funds must be spent to serve all non-proficient students. Title I, Part A funds may be used to supplement LAP in eligible Title I, Part A schools, if the district does not have adequate LAP funds.

If you have any questions regarding this information, please contact me at (360) 725-6100 or email gayle.pauley@k12.wa.us. The agency TTY number is (360) 664-3631.

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