

**RCW 28A.185.030 Programs—Authority of school districts—**

**Selection of students—Equitable enrollment practices.** (1) School districts may establish and operate, either separately or jointly, programs for highly capable students. Such authority shall include the right to employ and pay special instructors and to operate such programs jointly with a public institution of higher education.

(2) School districts that establish and operate programs for highly capable students shall adopt identification procedures and provide educational opportunities as follows:

(a) In accordance with rules adopted by the superintendent of public instruction, school districts shall implement procedures for referral, screening, assessment, identification, and placement of highly capable students.

(i) Referrals must be available for all grade levels not being universally screened, and may be submitted by teachers, other staff, parents, students, and members of the community.

(ii) Each school district must select a grade level to implement universal screening procedures for each student. Universal screening must occur once in or before second grade, and again in or before sixth grade. The purpose of universal screening is to include students who traditionally are not referred for highly capable programs and services. Students discovered during universal screening may need further assessment to determine whether the student is eligible for placement in a program for highly capable students. Districts must consider at least two student data points during universal screening, which may include previously administered standardized, classroom-based, performance, cognitive, or achievement assessments, or research-based behavior ratings scales. There is no requirement to administer a new assessment for the purpose of universal screening, however districts may do so if they desire.

(iii) Assessments for highly capable program services must be based upon a review of each student's capability as shown by multiple criteria intended to reveal, from a wide variety of sources and data, each student's unique needs and capabilities. Any screenings or additional assessments must be conducted within the school day and at the school the student attends, except that school districts, on a case-by-case basis and with the consent of the parent or guardian, may offer a student screenings or additional assessment opportunities during the summer, outside of school hours, or at an alternative site.

(iv) Identification and placement decisions shall be made by a multidisciplinary selection committee after consideration of the results of the universal screening, any further assessment, and any available district data. Students identified pursuant to procedures outlined in this section must be provided, to the extent feasible, an educational opportunity that takes into account each student's unique needs and capabilities, and the limits of the resources and program options available to the district, including those options that can be developed or provided using funds allocated by the superintendent of public instruction for this specific purpose.

(b) In addition to the criteria listed in (a) of this subsection, district practices for identifying highly capable students must seek to expand access to accelerated learning and enhanced instruction at elementary and secondary schools and advance equitable enrollment practices so that all students, especially students from historically underrepresented and low-income groups, who are ready to engage in

more rigorous coursework can benefit from accelerated learning and enhanced instruction.

(3) When a student, who is a child of a military family in transition, has been assessed or enrolled as highly capable by a sending school, the receiving school shall initially honor placement of the student into a like program.

(a) The receiving school shall determine whether the district's program is a like program when compared to the sending school's program; and

(b) The receiving school may conduct subsequent assessments to determine appropriate placement and continued enrollment in the program.

(4) For a student who is a child of a military family in transition, the definitions in Article II of RCW 28A.705.010 apply to subsection (3) of this section. [2023 c 265 s 4; 2009 c 380 s 4; 1984 c 278 s 13. Formerly RCW 28A.16.060.]

**Finding—Intent—2023 c 265:** See note following RCW 28A.185.020.

**Severability—1984 c 278:** See note following RCW 28A.185.010.