
SENATE BILL 6118

State of Washington

62nd Legislature

2012 Regular Session

By Senators McAuliffe, Litzow, Chase, Eide, Shin, Rolfes, Harper, and Frockt

Read first time 01/11/12. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to implementing recommendations of the 2010 working
2 group regarding programs for highly capable students; amending RCW
3 28A.185.020 and 28A.185.030; adding a new section to chapter 28A.185
4 RCW; and creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature intends to implement the
7 recommendations of the 2010 working group regarding the programs for
8 highly capable students, including standardizing the process since the
9 legislature has designated the program as part of basic education.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.185
11 RCW to read as follows:

12 For the purposes of the program for highly capable students under
13 this chapter, a highly capable student means a student who performs, or
14 shows potential for performing, at significantly advanced levels when
15 compared to others of his or her age, experience, or environment.
16 Outstanding capabilities are seen with the student's general
17 intellectual aptitudes, specific academic abilities, creative
18 productivities within a specific domain, or leadership skills. Highly

1 capable students are present in all cultural and linguistic groups and
2 across all socioeconomic strata; coexist with all manner of disabling
3 conditions both visible and invisible; and manifest across all areas of
4 human endeavor.

5 **Sec. 3.** RCW 28A.185.020 and 2009 c 548 s 708 are each amended to
6 read as follows:

7 (1) The legislature finds that, for highly capable students, access
8 to accelerated learning and enhanced instruction is access to a basic
9 education. The education of highly capable students may include
10 supports and services that are in addition to those ordinarily provided
11 as part of general education.

12 (2) There are multiple definitions of highly capable, from
13 intellectual to academic to artistic. The research literature strongly
14 supports using multiple criteria to identify highly capable students,
15 and therefore, the legislature does not intend to prescribe a single
16 method. Instead, the legislature intends to allocate funding based on
17 two and three hundred fourteen one-thousandths percent of each school
18 district's population and authorize school districts to identify
19 through the use of multiple, objective criteria those students most
20 highly capable and eligible to receive accelerated learning and
21 enhanced instruction in the program offered by the district. Access to
22 accelerated learning and enhanced instruction through the program for
23 highly capable students does not constitute an individual entitlement
24 for any particular student.

25 ~~((+2))~~ (3) Supplementary funds provided by the state for the
26 program for highly capable students under RCW 28A.150.260 shall be
27 categorical funding to provide services to highly capable students as
28 determined by a school district under RCW 28A.185.030.

29 **Sec. 4.** RCW 28A.185.030 and 2009 c 380 s 4 are each amended to
30 read as follows:

31 Local school districts may establish and operate, either separately
32 or jointly, programs for highly capable students. Such authority shall
33 include the right to employ and pay special instructors and to operate
34 such programs jointly with a public institution of higher education.
35 Local school districts which establish and operate programs for highly

1 capable students shall adopt identification procedures and provide
2 educational opportunities as follows:

3 (1) In accordance with rules adopted by the superintendent of
4 public instruction, school districts shall implement procedures for
5 nomination, assessment and selection of their most highly capable
6 students for the purposes of the highly capable program. (~~Nominations~~
7 ~~shall be based upon data from teachers, other staff, parents, students,~~
8 ~~and members of the community.~~ ~~Assessment shall be based upon a review~~
9 ~~of each student's capability as shown by multiple criteria intended to~~
10 ~~reveal, from a wide variety of sources and data, each student's unique~~
11 ~~needs and capabilities.~~ ~~Selection shall be made by a broadly based~~
12 ~~committee of professionals, after consideration of the results of the~~
13 ~~multiple criteria assessment.~~) Under the procedures, no single
14 criterion should prevent a student's identification. However, any
15 single criterion, if strong enough, may indicate a need for services.
16 The rules adopted by the superintendent of public instruction must
17 include but are not limited to consistent procedures for:

- 18 (a) Universal screening;
- 19 (b) Regular public notification;
- 20 (c) Use of multiple criteria;
- 21 (d) Involvement of qualified professionals in the identification
22 process;
- 23 (e) Family involvement in decision making;
- 24 (f) Notification of parents or legal guardians;
- 25 (g) Safeguards to reduce cultural, linguistic, socioeconomic, and
26 gender bias, and to mitigate impacts resulting from disabilities; and
- 27 (h) Periodic reviews, including input from families.

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

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

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

1 (3) Students selected pursuant to procedures outlined in this
2 section shall be provided, to the extent feasible, an educational
3 opportunity which takes into account each student's unique needs and
4 capabilities and the limits of the resources and program options
5 available to the district, including those options which can be
6 developed or provided by using funds allocated by the superintendent of
7 public instruction for that purpose.

8 (4) The definitions in Article II of RCW 28A.705.010 apply to
9 subsection (2) of this section.

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