

ESHB 2261 - S AMD TO S AMD (S-3077.2/09) 394  
By Senator Roach

ADOPTED 04/16/2009

1 On page 63, after line 24 of the amendment, insert the following:

2 "NEW SECTION. **Sec. 709.** A new section is added to chapter 28A.185  
3 RCW to read as follows:

4 To the extent necessary, funds shall be made available for safety  
5 net awards for districts with demonstrated needs for funding for a  
6 highly capable program beyond the amounts provided through the highly  
7 capable funding formula under RCW 28A.150.260 and 28A.185.020. Safety  
8 net funds shall be awarded by the state safety net oversight committee  
9 subject to the conditions and limitations in subsections (1) through  
10 (4) of this section.

11 (1) The committee shall consider additional funds for districts  
12 that can convincingly demonstrate that all legitimate expenditures for  
13 the highly capable program exceed all available revenues from state  
14 funding formulas. In the determination of need, the committee shall  
15 also consider additional available revenues from federal sources.  
16 Differences in program costs attributable to district philosophy,  
17 service delivery choice, or accounting practices are not a legitimate  
18 basis for safety net awards. In the determination of need, the  
19 committee shall require that districts demonstrate that they are  
20 maximizing their eligibility for all state and federal revenues related  
21 to services for students in the highly capable program.

22 (2) The superintendent of public instruction may adopt such rules  
23 and procedures as are necessary to administer the safety net award  
24 process for the highly capable program, including determining the  
25 maximum allowable indirect cost for calculating safety net eligibility.

26 (3) The superintendent of public instruction shall provide  
27 technical assistance to school districts in preparing and submitting  
28 safety net applications for highly capable programs.

29 (4) The safety net committee for highly capable programs shall be  
30 composed of at least the following members:

1 (a) One staff member from the office of the superintendent of  
2 public instruction;

3 (b) Staff of the office of the state auditor, who shall be  
4 nonvoting members of the committee; and

5 (c) One or more representatives from school districts or  
6 educational service districts knowledgeable of highly capable programs  
7 and funding."

8 Renumber the remaining section consecutively.

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9 On page 65, line 13 of the title amendment, after "28A.305 RCW;"  
10 insert "adding a new section to chapter 28A.185 RCW;"

EFFECT: Provides a safety net process for districts to access additional funding for the basic education program of highly capable (gifted) if the district can demonstrate it has a greater amount of students who qualify for the highly capable program.

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