**5354-S AMS RIVE S6743.1 - NOT FOR FLOOR USE**

**SSB 5354** - S AMD **1102**

By Senator Rivers

Strike everything after the enacting clause and insert the following:

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

(1) Local 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. ((~~Local school~~))

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

((~~(1)~~)) (a) In accordance with rules adopted by the superintendent of public instruction, school districts shall implement procedures for ((~~nomination~~)) referral, screening, assessment ((~~and~~)), selection, and placement of their most highly capable students. ((~~Nominations shall~~))

(b) A referral process must be available for all grade levels that are not universally screened. Referrals must be based upon data from teachers, other staff, parents, students, ((~~and~~)) or members of the community. School districts may also refer students based on available district data, such as standardized test scores or language acquisition rates.

(c) Each school district must conduct universal screenings for each student at least twice, once in or before second grade and once in or before sixth grade, to find students who show potential to be eligible for the highly capable program. The intent of universal screening is to seek potential, rather than eliminate students from consideration.

(i) School districts must provide the universal screenings within the school day and at the school the student attends. An opt-out process must be available to parents or guardians who do not want their child to participate in universal screenings.

(ii) Newly enrolled students who miss their school district's initial grade level of screening, and who do not have comparable screening data on file from a previous district, must be universally screened during their first semester of enrollment.

(iii) Any student who is screened, and is later determined to be eligible for special education services, must be rescreened within sixty days of qualifying for special education services to ensure that the student receives proper accommodation during the screening process.

(d) Assessment shall 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.

(e) Selection and placements shall be made by a broadly based committee of professionals, after consideration of the results of the multiple criteria assessment.

((~~(2)~~)) (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.

((~~(3)~~)) (4) Students selected pursuant to procedures outlined in this section shall be provided, to the extent feasible, an educational opportunity which 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 which can be developed or provided by using funds allocated by the superintendent of public instruction for that purpose.

((~~(4)~~)) (5) The definitions in Article II of RCW 28A.705.010 apply to subsection ((~~(2)~~)) (3) of this section.

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

By July 31, 2021, the office of the superintendent of public instruction must develop and distribute to school districts policy guidance regarding implementation of section 1 of this act and provide technical assistance as needed.

**Sec.**  RCW 28B.10.032 and 1987 c 525 s 233 are each amended to read as follows:

(1) The state's public and private institutions of higher education offering teacher preparation programs and school districts are encouraged to explore ways to facilitate faculty exchanges, and other cooperative arrangements, to generate increased awareness and understanding by higher education faculty of the common school teaching experience and increased awareness and understanding by common school faculty of the teacher preparation programs.

(2) Teacher preparation programs must include information on recognizing students who may qualify for programs for highly capable students, why highly capable students need special services, and the best practices for providing these services.

NEW SECTION. **Sec.**  Section 1 of this act takes effect August 1, 2021."

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On page 1, line 2 of the title, after "students;" strike the remainder of the title and insert "amending RCW 28A.185.030 and 28B.10.032; adding a new section to chapter 28A.185 RCW; and providing an effective date."

EFFECT: (1) Removes all provisions except the provisions that require universal highly capable screenings of students and the provisions that require teacher preparation programs to include highly capable information.

(2) Requires that school districts conduct universal screenings of each student at least twice, once in or before second grade and once in or before sixth grade, effective August 1, 2021.

(3) Requires that universal screenings take place within the school day and at the school the student attends.

(4) Requires school districts to provide an opt-out process for parents or guardians who do not want their child to participate in universal screenings.

(5) Requires school districts to screen new students without comparable screening data during their first semester of enrollment.

(6) Requires school districts to rescreen students who have become eligible for special education services to ensure proper accommodations are provided during the screening.

(7) Requires that a referral process be available for all grade levels that are not universally screened and permits school districts to refer students based on school district data.

(8) Removes language that required assessments to be conducted within the school day and at the school the student attends.

(9) Removes language requiring selection and placements to be made by a multidisciplinary selection committee with training on the needs of highly capable students.

(10) Removes language stating that access to highly capable instruction is not an individual entitlement.

(11) Removes language making universal screenings subject to appropriated funds.

(12) Provides that the office of the superintendent of public instruction must develop and distribute policy guidelines to school districts regarding universal screening and referral requirements by July 31, 2021.