

ESHB 2261 - S AMD TO WM COMM AMD (S-2934.1/09) **324**
By Senator Roach

OUT OF ORDER 04/16/2009

1 On page 7, line 33 of the amendment, after "28A.155.020;" strike
2 "and"

3 On page 7, line 34 of the amendment, after "(g)" insert "Programs
4 for highly capable students under RCW 28A.185.010 through 28A.185.030;
5 and
6 (h)"

7 On page 13, line 10 of the amendment, after "(8)" insert "The
8 allocations provided under subsections (3) and (4) of this section
9 shall be enhanced to provide additional allocations to support programs
10 for highly capable students under RCW 28A.185.010 through 28A.185.030.
11 The minimum allocation for the programs shall provide an extended
12 school day and extended school year for each level of prototypical
13 school and a per student allocation for maintenance, supplies, and
14 operating costs.
15 (9)"

16 Renumber the remaining subsections consecutively and correct any
17 internal references accordingly.

18 On page 55, after line 15 of the amendment, insert the following:

19 "**Sec. 706.** RCW 28A.185.010 and 1984 c 278 s 12 are each amended to
20 read as follows:

21 Pursuant to rules (~~and regulations~~) adopted by the superintendent
22 of public instruction for the administration of this chapter, the
23 superintendent of public instruction shall carry out a program for
24 highly capable students. Such program may include conducting,
25 coordinating and aiding in research (including pilot programs),
26 disseminating information to local school districts, providing

1 statewide staff development, and allocating to school districts
2 (~~supplementary funds~~) enhanced funding for (~~additional costs of~~)
3 the district programs, as provided by RCW (~~28A.185.020~~) 28A.150.260.

4 **Sec. 707.** RCW 28A.185.020 and 1990 c 33 s 168 are each amended to
5 read as follows:

6 (~~Supplementary funds as may be~~) (1) The legislature finds that,
7 for highly capable students, access to accelerated learning and
8 enhanced instruction is access to a basic education. There are
9 multiple definitions of highly capable, from intellectual to academic
10 to artistic. The research literature strongly supports using multiple
11 criteria to identify highly capable students, and therefore, the
12 legislature does not intend to prescribe a single method. Instead, the
13 legislature intends to allocate funding not to exceed three percent of
14 any district's full-time equivalent student enrollment and authorize
15 school districts to identify through the use of multiple, objective
16 criteria those students most highly capable and eligible to receive
17 accelerated learning and enhanced instruction in the program offered by
18 the district. Access to accelerated learning and enhanced instruction
19 through the program for highly capable students does not constitute an
20 individual entitlement for any particular student.

21 (2) Enhanced funding provided by the state for (~~this program, in~~
22 accordance with RCW ~~28A.150.370,~~) the program for highly capable
23 students under RCW 28A.150.260 and this section shall be categorical
24 funding (~~on an excess cost basis based upon a per student amount not~~
25 to exceed three percent of any district's full-time equivalent
26 enrollment)) to provide services to highly capable students as
27 determined by a school district under RCW 28A.185.030.

28 NEW SECTION. **Sec. 708.** A new section is added to chapter 28A.185
29 RCW to read as follows:

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

1 (1) The committee shall consider additional funds for districts
2 that can convincingly demonstrate that all legitimate expenditures for
3 the highly capable program exceed all available revenues from state
4 funding formulas. In the determination of need, the committee shall
5 also consider additional available revenues from federal sources.
6 Differences in program costs attributable to district philosophy,
7 service delivery choice, or accounting practices are not a legitimate
8 basis for safety net awards. In the determination of need, the
9 committee shall require that districts demonstrate that they are
10 maximizing their eligibility for all state and federal revenues related
11 to services for students in the highly capable program.

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

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

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

21 (a) One staff member from the office of the superintendent of
22 public instruction;

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

25 (c) One or more representatives from school districts or
26 educational service districts knowledgeable of highly capable programs
27 and funding."

28 Renumber the remaining sections consecutively and correct any
29 internal references accordingly.

OUT OF ORDER 04/16/2009

1 On page 57, line 12 of the title amendment, after "28A.180.080,"
2 insert "28A.185.010, 28A.185.020,"

3 On page 57, line 17 of the title amendment, after "28A.305 RCW;"
4 insert "adding a new section to chapter 28A.185 RCW;"

EFFECT: Adds the highly capable program to the definition of Basic Education at the current statutory amount of up to three percent of a district's enrollment.

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

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