

SENATE BILL REPORT

SB 6629

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 3, 2010
Ways & Means, February 9, 2010

Title: An act relating to highly capable students.

Brief Description: Convening a working group to make recommendations defining a basic education program for highly capable students.

Sponsors: Senators Oemig and McAuliffe.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/28/10, 2/03/10 [DPS-WM].
Ways & Means: 2/09/10 [DPS(EDU), w/oRec].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6629 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Gordon, Hobbs, McDermott and Roach.

Staff: Susan Mielke (786-7422)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6629 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley, Hewitt, Hobbs, Honeyford, Keiser, Kline, Kohl-Welles, McDermott, Pflug, Pridemore and Rockefeller.

Minority Report: That it be referred without recommendation.

Signed by Senators Brandland, Parlette and Schoesler.

Staff: Elise Greef (786-7708)

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background: In the 2009 Legislative Session, the Legislature passed Engrossed Substitute House Bill 2261. The bill expanded the definition of basic education by, among other things, including the educational program for highly capable students to be effective September 1, 2011. The legislation included language that access to the program is not an individual entitlement for any particular student but also established a safety net to provide districts additional funding for the program if the percentage of students in the district program was larger than the percentage funded by the state. The Governor vetoed the safety net. The veto message provides, among other things, that there is work to be done to establish standards, guidelines, and definitions for what constitutes a highly capable program and what the funding level should be for such a program.

Last session, the Legislature created the Quality Education Council (QEC) to recommend and inform the ongoing implementation by the Legislature of an evolving program of basic education and the financing of the basic education program. The Council is composed of eight legislators, the Superintendent of Public Instruction, and one representative from the Governor's Office, State Board of Education, Professional Educator Standards Board and Department of Early Learning.

Summary of Bill (Recommended Substitute): The Office of the Superintendent of Public Instruction must convene a technical working group with representatives who have significant expertise in the education of highly capable students. The working group may create subgroups and must seek input from the following:

- nationally recognized experts; researchers and academics on the unique educational, emotional, and social needs of highly capable students and how to identify such students;
- representatives of national organizations and associations for educators of or advocates for highly capable students;
- school district representatives who are educators, counselors, and classified school employees involved with highly capable programs;
- parents of students who have been identified as highly capable; and
- representatives from the federally recognized tribes; and
- representatives of cultural, linguistic, and racial minority groups and the community of persons with disabilities.

The working group must make recommendations to the QEC and to the Legislature by December 1, 2010, on specified topics, including identification procedures, standards, benchmarks, and definitions; effective programs and services; program administration, management, and report requirements; appropriate educator qualifications, certification requirements, professional development and support for educators and other staff who are involved in programs for highly capable students; self-evaluation models for school districts; a state-level funding structure; and other topics deemed to be relevant by the working group. The recommendations must minimize overrepresentation and under-representation of any particular demographic or socio-economic group relative to the presence of this group in the overall student population. The recommendations must take into consideration that access to the program for highly capable students is not an individual entitlement for any particular student.

The workgroup expires August 1, 2011.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute): The recommendations of the working group must minimize overrepresentation and under-representation of any particular demographic or socio-economic group relative to the presence of this group in the overall student population.

Appropriation: None.

Fiscal Note: Available on original bill.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education): PRO: This is long overdue. Unless we address students of all types and needs, we cause these students to act up or dropout. The definitions and eligibility for gifted in this state are lacking and are addressed better in other states. In Washington, school districts must serve the “most” gifted. We need the underserved gifted to be included in our system, too often they dropout. This effort will create a more comprehensive program.

OTHER: There are three statewide organizations that advocate and support gifted education. You should empower existing groups to work on this issue instead of creating a new group. The workgroup should look broader than K-12 and look at K-20. While the level of funding of gifted education should be increased, remember the paramount duty is to fully fund basic education and when that definition continues to be expanded then it makes it a more difficult duty to fulfill. We urge caution in the crafting of the definitions and criteria: How will student characteristics effect the definitions and criteria for the gifted program; will there be different cutoffs based on income or racial makeup?

Persons Testifying (Early Learning & K-12 Education): PRO: Marcia Holland, Janis Traven, Washington Coalition for Gifted Education; Christie Perkins, Washington State Special Education Coalition.

OTHER: Mitch Denning, Alliance of Education Association; Joyce Fiess, Citizens United for Responsible Education.

Staff Summary of Public Testimony on Recommended Substitute (Ways & Means): PRO: We fully support this bill and the working group it establishes and would like to see the funding for gifted education enhanced sometime in the future. We urge you to consider carefully before adding new definitions to basic education before the current definition is fully funded. This bill would provide key research. Washington state has over 100,000 highly capable students. Currently, we have about 60,000 un-served gifted students in our schools today, which has impacts on the state's drop-out rates, over identification for special education, classroom underachievement, juvenile justice, and suicide. There are significant impacts if this group's needs are not met.

Persons Testifying (Ways & Means): PRO: Mitch Denning, Alliance of Education Associations; Lynne Tucker, Seattle Special Education PTSA, Twice Exceptional Committee, Northwest Exceptional Children.