

SENATE BILL REPORT

SB 5922

As of February 18, 2015

Title: An act relating to school programs for highly capable students.

Brief Description: Concerning school programs for highly capable students.

Sponsors: Senators Rolfes, Rivers and Kohl-Welles.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/19/15.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

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Background: Article IX, Section 1 of the Washington State Constitution declares that it is the paramount duty of the state to make ample provision for the education of the state's children. The Washington Supreme Court has interpreted this to mean that the Legislature must define a program of basic education with the guidelines established by the Court and provide ample funding for the program using dependable resources.

When the Legislature expanded the definition of the program of basic education in 2009, the Legislature added the program for highly capable students for those students who are most highly capable. School districts may use general apportionment and highly capable program (HCP) funding to provide services to identified highly capable students. The prototypical school funding formula provides a minimum allocation for the HCP based on 2.314 percent of a school district's student enrollment, which is deemed to be sufficient to provide, on a statewide average, 2.159 hours per week in extra instruction with 15 students per teacher. School districts that establish and operate HCPs must adopt identification procedures and provide educational opportunities. However, current law specifically provides that the Legislature does not intend to prescribe a single method to identify highly capable students and that the services provided are determined by the school district. Access to the HCP does not constitute an individual entitlement for any particular student.

In 2010 the Legislature directed the Office of Superintendent of Public Instruction (OSPI) to form a technical working group to make recommendations regarding standards, guidelines, and definitions for what constitutes a basic education program for highly capable students

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and the appropriate funding structure for such a program. The working group's December 2010 report included the following recommendations:

- Funding. Increase the percentage of student enrollment on which HCP is based to 5 percent. Maintain the assumption of a class size of 15 but increase to five instructional hours per week.
- Definition of an HCP Student. HCP students are those students who perform or show potential for performing at significant advanced levels. No single criterion should prevent a student's identification as an HCP student but any single criterion can indicate a need for services.
- Program Services. Districts should provide a great variety of evidence-based program models to meet the strengths and needs of the identified HCP students. The programs should be research based and allow for consistent progress and challenge.
- Professional Development. Professional development for program administrators, principals, counselors, and teachers must be made available and be aligned with state standards for highly capable education. All teachers must have adequate professional development in how to identify needs and strengths, provide challenging curriculum and instruction, and evaluate progress for highly capable students.

In 2013 OSPI changed its rules to reflect that the HCP is part of basic education and all 295 school districts must serve highly capable students by the 2014-15 school year. The changes include a requirement that school districts make a variety of appropriate program services available to students who participate in the district's HCP; and once services are started, a continuum of services must be provided to the student from kindergarten through twelfth grade.

Summary of Bill: The following changes are made.

Funding. The percentage of student enrollment on which the HCP funding is based is increased to 10 percent, which is deemed to be sufficient to provide, on a statewide average, ten hours per week in extra instruction with 15 students per teacher.

Definition of an HCP student. A detailed definition of an HCP student is provided and includes that HCP students are those students who perform or show potential for performing at significant advanced levels. No single criterion should prevent a student's identification as an HCP student but any single criterion can indicate a need for services.

Program Services. Districts must establish and operate an HCP and must make a variety of appropriate services available to HCP students. Once services start, a continuum of services must be provided to the student in kindergarten through twelfth grade. The programs should be research based and allow for consistent progress and challenge.

Professional Development. Professional development for program administrators, principals, counselors, and teachers must be made available and be aligned with state standards for highly capable education. All teachers must have adequate professional development in how to identify needs and strengths, provide challenging curriculum and instruction, and evaluate progress for highly capable students.

Appropriation: None.

Fiscal Note: Requested on February 18, 2015.

Committee/Commission/Task Force Created: No.

Effective Date: Section 4 takes effect on September 1, 2018.