SENATE BILL REPORT
SB 5354

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 18, 2019

Title: An act relating to facilitating equity in programs for highly capable students.

Brief Description: Concerning programs for highly capable students.

Sponsors: Senators Rivers, Rolfes, Becker, Brown, Wilson, C. and Kuderer.

Brief History:
    Committee Activity: Early Learning & K-12 Education: 2/06/19, 2/18/19 [DP-WM, w/ oRec].

Brief Summary of Bill

- Requires school districts to conduct highly capable screenings of each student at least once in or before second and sixth grade.
- Requires professional development for members of the Highly Capable Selection Committee, principals, counselors, and instructional staff.
- Requires collection and reporting of highly capable program data.
- Provides "to and from" transportation for highly capable program students.
- Requires the Office of the Superintendent of Public Instruction to designate staff to provide guidance to school districts regarding highly capable programs.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass and be referred to Committee on Ways & Means.
    Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Holy, Hunt, McCoy, Mullet, Pedersen, Salomon and Wagoner.

Minority Report: That it be referred without recommendation.
    Signed by Senator Padden.

Staff: Alex Fairfortune (786-7416)

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: <u>Highly Capable Student Programs.</u> School districts are authorized to establish and operate, either separately or jointly, programs for highly capable students. These programs are part of the state's program of basic education, and supplemental funding is provided.

School districts that establish and operate programs for highly capable students must implement procedures for nomination, assessment, and selection of their most highly capable students. Under current law:
- nominations must be based upon data from teachers, other staff, parents, students, and members of the community;
- assessment must 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; and
- selection must be made by a broadly based committee of professionals, after consideration of the results of the multiple criteria assessment.

The Office of the Superintendent of Public Instruction (OSPI) must implement a program for highly capable students, which may include conducting or aiding in research, disseminating information to school districts, and providing statewide staff development. OSPI also must monitor highly capable programs at least once every five years to ensure school districts are meeting requirements, and submit a report to the Legislature providing a brief description of the various instructional programs offered.

Summary of Bill: <u>Screenings, Selection, and Placement.</u> School districts that operate highly capable programs must conduct universal screenings for each student to find students who need further assessment for potential placement in a highly capable program. Screenings must take place in or before second and sixth grade and take place within the school day at the school the student attends. The screening requirement is subject to the availability of amounts appropriated.

Selection and placement of students in a highly capable program must be made by a multidisciplinary selection committee. Members of this committee must have at least five hours of course work or professional development addressing the needs and characteristics of highly capable students.

<u>Data Collection and Reporting.</u> Highly capable students must be disaggregated as a subgroup when OSPI collects student-level data, including reports regarding student suspensions and expulsions. When OSPI submits its report to the Legislature regarding highly capable programs, it must also include relevant data about highly capable programs.

<u>Transportation.</u> Student transportation funding includes "to and from" programs for highly capable students.

<u>OSPI Requirements.</u> OSPI must designate at least two full-time professional staff and one half-time support staff to provide technical assistance and guidance to school districts regarding highly capable students, and to collect and analyze data related to highly capable programs.

Professional Development. School districts must use highly capable allocations to provide at least two hours of professional development for principals and counselors. The professional development must address recognition of students who may qualify for highly capable programs, why highly capable students need special services, and the best practices for providing those services.

School districts must provide additional professional development for certificated and classified instructional staff, principals, and counselors subject to the availability of funds appropriated for that purpose.

Teacher Preparation Programs. Teacher preparation programs must include information on recognizing students who may qualify for highly capable programs, why highly capable students need special services, and the best practices for providing those services.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Requested on January 23, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony: PRO: There is a tendency to think highly capable students will be fine, but the reality is these are kids who tend to disengage if they are not challenged. In one district there were 23,000 students who spoke 94 languages, and the highly capable programs were accessed by nomination only. After implementing universal screening and screening 15,000 students, 26 percent moved forward to the second round of assessment. The assessment only took 30 minutes and was non-verbal, which helped identify non-English speaking highly capable students. Of those students screened 1,072 were highly capable and 29 percent were English language learners or students receiving special education services. The standard remained the same, but expanding the screening gave access and opportunity to all children. It is important to have staff at OSPI to support districts, as currently there is only one person. The increased professional development will directly affect the services provided to students and is key to equity and access. Transportation needs to be included because parents often can't get eligible children to the highly capable programs even after they qualify.

CON: The data reporting language discriminates against foreigners, as it requires reporting the country of origin for Asian-Americans but not for other groups. This creates a strong sense of alienation because no matter how long a person has lived here it makes them feel like they are forever an alien and not really an American.

OTHER: There are limited counselors in elementary schools and that number needs to be increased.

Persons Testifying: PRO: Senator Ann Rivers, Prime Sponsor; David Berg, President, Washington Coalition for Gifted Education; Jennifer Flo, Vice-President, Washington

Association for the Education of the Talented and Gifted; Charlotte Akin, M.Ed., WCGE Executive Board, Past President WAETAG; Austina De Bonte, President, Northwest Gifted Child Association; Dr. Michelle Reid, Superintendent, Northshore School District.

CON: Dandan Chen, citizen.

OTHER: Ling Zhuang, citizen; Huaxia Zhao, citizen; Lucinda Young, Washington Education Association.

Persons Signed In To Testify But Not Testifying: No one.