



## WAC FAQs - LWSD Eligibility Changes for 2023-2024

*State Requirements, District Response, and FAQs*

*March 18, 2024 Presentation Resource*

This document intends to inform our community about recent changes to the Highly Capable Education Program in Washington State, specifically related to Senate Bill 5072- *Advancing Equity in Programs for Highly Capable Students*. It is essential that our community understands these modifications and their impact on our students.

### **Background:**

The Highly Capable Program (HiCap Program) is an integral part of our state's basic education system. It provides access to accelerated learning and enhanced instruction for students identified as highly capable. The program allocates funding based on 5% of each school district's population, specifically for services to highly capable students.

SB5072 aims to advance equity within the HiCap Program by ensuring access and removing barriers. Here are the key provisions:

1. **Universal Screening:** School districts are now required to conduct universal screenings for HiCap eligibility consideration. The purpose of universal screening is to identify students who may be in need of HiCap services, regardless of background or circumstances.
2. **Eligibility Criteria:** SB5072 establishes new requirements and criteria which prioritize equitable identification. SB5072 further focuses on equitable identification of low-income students in every district.

### **Key Terms:**

To help you navigate this information, here are some essential definitions:

- **WAC** (Washington Administrative Code): WACs are regulations that provide detailed rules and guidelines for implementing state laws.
- **RCW** (Revised Code of Washington): RCWs are state statutes enacted by the Washington State Legislature. They outline legal requirements and rights. In the context of education, RCWs address student discipline, funding, and other critical matters.
- **OSPI** (Office of the Superintendent of Public Instruction): OSPI is the state agency responsible for overseeing K-12 education in Washington. It allocates funding, provides resources, and ensures high-quality education for all students.

Jody Hess, OSPI Supervisor of Highly Capable Programs for Washington state joined LWSD Accelerated Programs on March 18<sup>th</sup>, 2024 to discuss these important changes in state law regarding highly capable education. A recording of that video can be found [on our Accelerated Programs website](#).

Highlighted below are few key components of the shift in legislation, as well as LWSD's response to the mandates. A section for frequently asked questions is also included.

## Universal Screening

**Mandate:** RCW 28A.185.030: Each school district must select a grade level to implement universal screening procedures for each student. Universal screening must occur once in or before second grade, and again in or before sixth grade. Districts must consider at least two student data points during universal screening, which may include previously administered standardized, classroom-based, performance, cognitive, or achievement assessments, or research-based behavior ratings scales. There is no requirement to administer a new assessment for the purpose of universal screening, however districts may do so if they desire. Referrals must be available for all grade levels not being universally screened.

**LWSD response:** Students in LWSD are universally screened for HiCap services in first and fifth grades. All other grades can directly refer students for screening. Multiple data points are used in screening students for HiCap services.

## Improved Identification and Placement

**Mandate:** RCW: 28A-185-020: Assessments for highly capable program services 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. Any screenings or additional assessments must be conducted within the school day and at the school the student attends.

**Mandate:** WAC 392-170-055: Districts must use multiple objective criteria to identify students who are among the most highly capable.

**LWSD response:** Both universally screened and referred students will have a body of evidence reviewed to identify a need for HiCap services. The body of evidence includes multiple data points over time to include district administered assessments. The unique assessments used for each grade level's body of evidence can be found on the Accelerated Programs website. All assessments must occur within the school day at the school the student attends.

## Equity Focus

**Mandate:** WAC 28A.185.020: District practices for identifying highly capable students must prioritize equitable identification of low-income students.

**LWSD response:** LWSD has added "Environmental Domain" criteria to our referral process, which provides additional consideration in support of a student needing HiCap services. Environmental Domain applies to students historically underserved in HiCap services and include those who receive services through an Individualized Education Plan (IEP)/504, students who are multilingual learners (ML), or those who receive free/reduced lunch.

**Mandate:** RCW 28A.185.020: The legislature further intends to allocate state funding for the highly capable program based on five percent of each school district's student population. The legislature does not intend to limit highly capable services to five percent of the student population.

**LWSD response:** Although this is not a change to state mandates regulating HiCap services, LWSD allocates funding well beyond the state funded 5%. LWSD does not cap students or have a waiting list for services; all students who demonstrate a need are provided services.

*Please note, entire chapters of the mandates listed above can be found by visiting <https://www.k12.wa.us/student-success/learning-alternatives/highly-capable-program>*

## Accelerated Programs – Highly Capable Services

### Frequently Asked Questions

#### **Why does the qualifying criteria for highly capable services change from year to year?**

Criteria change from year to year in response to mandates and guidance from OSPI. Criteria also change based on data available. For example, alternative data sources were used during the pandemic, as students were not given the state standardized assessments. This year, our state requires the use of multiple sources of data to determine eligibility.

#### **Why is LWSD's qualifying criteria so high?**

LWSD receives state funding to provide highly capable services to approximately 5% of students. LWSD currently provides highly capable services to approximately 15% of students in K-8, well over the 5% currently funded. Districts set their own thresholds based on identifying approximately 5% of their own student population.

#### **Does LWSD limit the number of students who can participate in highly capable services?**

No! All students whose body of evidence indicates a need for service will receive the service. We do not have waiting lists or service/class size limitations.

#### **Why can't we go back to Saturday testing? Why can't we know the exact day and time of the exams?**

The newest legislation from OSPI requires all districts to assess students for highly capable services within the school day at the school the student attends. Each individual school has a unique schedule specific to their school that proctors must work around.

#### **Why can't services be provided at every school?**

All programs at LWSD are considered based on need, logistics, staffing, budget, as well as a variety of other factors. Resource constraints, equity and access, specialized needs, and associated services must be maintained across schools. This requires a review of implications that consider strategic planning, coordination, and funding.

**Why does it take so long to get results of students highly capable assessments?**

The shift to a body of evidence requires the review of essential data from in-District assessments administered over a significant period of time. The new requirement of universal screening also increased the number of students that needed to participate in assessments.