WACs/RCWs Governing Highly Capable Programs with Alignment to Accelerated Programs

Below is a summary of key Washington Administrative Codes (WACs) governing Highly Capable programs, along with how LWSD's Accelerated Programs aligns with each provision. ***Lake Washington School District (LWSD) meets all assurances outlined in RCW 28A.185 and reports these annually to OSPI. Our department submits the required annual plan to OSPI with assumptions, goals, services, and assurances of compliance.***

Citation	**Core Legal Language / Requirement**	**LWSD Alignment Practices**
WAC 392-170-005	Sets authority for rules under chapter for highly capable students.	We operate under the rules as adopted by OSPI; our program is part of the HCP legally authorized framework.
WAC 392-170-010	Goal is to provide accelerated, enriched, and differentiated learning opportunities.	Our offerings include differentiated curriculum, acceleration, and enrichment aligned to student needs.
WAC 392-170-035	Defines highly capable students and includes all protected classes.	Uses and communicates this definition; ensures inclusive practices.
WAC 392-170-036	Lists learning characteristics typical of highly capable students.	Our services recognize and develop both the social-emotional and academic needs of HC learners and are aligned with HC guidance and research.
WAC 392-170-042	Districts must notify parents annually of referral opportunities.	We release yearly communication to all families, accessible in multiple languages, about referral windows, screening, appeals, and service options.
WAC 392-170-045	Open referral process must exist for all stakeholders.	We maintain an open referral system for families during designated windows. Our staff partner with families to refer students.
WAC 392-170-055	*Key provisions:* • Use multiple objective criteria; *no single criterion may disqualify* a student • Selection based on local and/or national norms (but local norms not more restrictive) • Subjective measures may not disqualify • Use native language or nonverbal tools when feasible • District must have a **clearly defined & written** assessment process	We use a body of evidence model that uses multiple points in time from academic assessment(s) (ex. FastBridge and/or SBA) to screen for service so no one data point (ie. criterion) can disqualify a student from the multiple options of service offered. We publish our assessment and typical performance criteria on our website and results letters. Our equity department has assisted in reviewing how low-income and underrepresented students are identified- we review using the Environmental Domain framework. We consider nonverbal measures as needed

	• Must *prioritize equitable identification of low-income students* consistent with RCW 28A.185.020	and appropriate for students receiving ML services.
WAC 392-170-060	All tests used must be validated for purpose; if not, professional judgment may be used.	Our district selects instruments with strong validity evidence and uses national percentile norming, which provides the least restrictive option for our students. Local norming would be more restrictive given our students' performance patterns. We review both academic and cognitive data for each individual referral.
WAC 392-170-070	Selection must be made by a committee of qualified staff representing multiple perspectives.	We convene an MPC that includes teachers, specialists, administrators, and sometimes external advisors; committee training includes bias awareness.
WAC 392-170-075	District board policies must not violate civil rights and must base selection on professional judgment consistent with WAC	Our current board-approved policies include nondiscrimination language, and identification aligns with our documented criteria and committee judgment.
WAC 392-170-076	Districts must have a process by which families may appeal placement/identification decisions.	A formal appeals process is offered; we offer a portfolio review for students not formally identified for services. New to district families may submit additional evidence as part of their portfolio review.
WAC 392-170-078	District shall offer a continuum of appropriate K-12 services and review to ensure appropriateness	We maintain service models across K-12 and revisit services and placements annually for appropriateness and/or transitions.
WAC 392-170-083	Programs should align with evidence-based guidance.	Updates services based on gifted education research and best practices.