
SUBSTITUTE SENATE BILL 6282

State of Washington

66th Legislature

2020 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Pedersen, Wellman, Kuderer, Salomon, Mullet, Carlyle, Hunt, Holy, Padden, Hawkins, Zeiger, Wagoner, and Das)

1 AN ACT Relating to the development of highly capable transition
2 plans; adding a new section to chapter 28A.185 RCW; and creating new
3 sections.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature recognizes that
6 accelerated learning and enhanced instruction for highly capable
7 students is considered part of basic education, and requires that
8 students be offered a continuum of highly capable services in grades
9 K-12. Accelerated learning and enhanced instruction can be achieved
10 through a variety of delivery models and instructional programming,
11 which grants school districts the flexibility necessary to address a
12 wide range of student needs.

13 However, the legislature also recognizes the impact to student
14 learning that occurs when school districts modify the provision of
15 highly capable services without proper transitional supports.
16 Therefore, the legislature intends to create a process to protect
17 highly capable students when a school district substantially modifies
18 the continuum of highly capable services provided.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.185
20 RCW to read as follows:

1 (1) (a) If a school district makes a substantial modification to
2 the continuum of services provided to a highly capable student, the
3 school district must develop a highly capable transition plan for
4 that student in consultation with the student's parent or guardian.

5 (b) (i) Within fifteen days of formalizing the decision to
6 substantially modify a student's highly capable services, the school
7 district must provide written notice of the modification to the
8 student's parent or guardian. Within thirty days of providing the
9 written notice, the school district must develop a highly capable
10 transition plan in consultation with the student's parent or
11 guardian. Upon completion, the school district must provide a copy of
12 the highly capable transition plan to the student's teachers and
13 parent or guardian and add the plan to the student's academic file.

14 (ii) Any school district required to retroactively provide notice
15 of a substantial modification and develop a highly capable transition
16 plan, pursuant to section 3 of this act, must fulfill such
17 requirements within forty-five days of the effective date of this
18 section.

19 (c) Each highly capable transition plan must, at a minimum,
20 include the following information:

21 (i) A description of the highly capable student's current
22 services, including accelerated learning levels, instructional
23 enhancement strategies, and future expected course sequencing;

24 (ii) A description of the services and transitional supports that
25 the highly capable student will receive after the service
26 modification, how the student's current level of accelerated learning
27 and enhanced instruction will be continued, and how those services
28 will provide the student with the educational opportunities necessary
29 to address the student's unique needs and capabilities, including
30 learning disabilities or special needs;

31 (iii) A plan for how the highly capable student's progress will
32 be measured in all subjects where the student previously was or will
33 be receiving accelerated learning and enhanced instruction;

34 (iv) A process and timeline for evaluating whether the newly
35 implemented services are successfully providing a meaningful
36 opportunity for progress similar to that expected prior to the
37 modification of services;

38 (v) A process to modify the highly capable transition plan as
39 necessary and ensure the plan is updated at least annually for two
40 years following the transition of services.

1 (d) If a school district fails to develop a highly capable
2 transition plan for a student as required under this section, or the
3 highly capable transition plan does not meet the minimum standards
4 required under this section, the student's parent or guardian has a
5 cause of action and may seek all remedies available at law or in
6 equity.

7 (2) For the purposes of this section "substantial modification"
8 means a modification to the continuum of highly capable services
9 provided to a student, made without the consent of the student's
10 parent or guardian, that significantly adjusts or disrupts the
11 delivery of accelerated learning or enhanced instruction. This may
12 include, but is not limited to, moving a student from a cohort model
13 of instruction to a noncohort model of instruction or disrupting a
14 student's future expected course sequencing.

15 NEW SECTION. **Sec. 3.** This act applies retroactively to all
16 substantial modifications to a student's continuum of highly capable
17 services that occurred after January 1, 2019.

--- END ---