

WAC 392-170-055 Process for assessment and identification of students who require accelerated learning and enhanced instruction (highly capable).

(1) The superintendent of public instruction must require school districts to have identification and placement procedures for services that match student learning needs for accelerated and enhanced instruction. They must be clearly stated and implemented by school districts using the following process:

(a) Multiple pathways for qualification must be available to allow students to qualify for different services using different criteria, as appropriate. Districts must use multiple criteria to assess and identify students' advanced learning needs in math and language arts. Multiple criteria means that multiple data points must be considered. However, any single criterion, if strong enough, may be sufficient to qualify a student for services, but no single criterion can exclude a student from services. If a student is excluded from highly capable services, there must be evidence of at least two objective data points demonstrating that a student would not benefit from accelerated learning and enhanced instruction. Students must not be disqualified or otherwise penalized for missing data;

(b) Highly capable placement decisions must be based on consideration of criteria benchmarked on local norms, when appropriate, but local norms may not be used as more restrictive criteria than national norms;

(c) Subjective measures such as teacher, parent, community member recommendations, or report card grades may not be used to exclude a student who otherwise qualifies for placement. These data points may be used alongside other criteria during placement to support identification, but may not be used to disqualify a student from being identified. Subjective measures shall be considered supplemental data, and must not be required for identification; and

(d) To the extent practicable, screening and assessments must be given in the native language of the student. If native language screening and assessments are not available, nonverbal screening and assessment must be used.

(2) Districts must consider at least two student data points during universal screening, which may include previously administered standardized, classroom-based, performance, cognitive, 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.

(3) There is no single prescribed method for identification of students for highly capable services.

(4) Districts shall have a clearly defined and written assessment process.

(5) Consistent with RCW 28A.185.020, district practices for identifying highly capable students must prioritize equitable identification of low-income students. Districts must use multiple pathways for identification, local norms, and other equitable identification strategies per WAC 392-170-046.

(6) Any screenings or additional assessment must be conducted within the school day at the school that the student attends. Exceptions may occur on a case-by-case basis with consent of the parent or guardian. Exceptions may include additional assessment opportunities during the summer, outside of school hours, or at an alternative site. Districts must provide transportation for all exceptions. If a district conducts assessments at an alternative site during the regular school year, in addition to securing parent permission, district

transportation must take place within the regular school day. Any assessments administered as part of universal screening during the regular school year must be given in the student's regular classroom.

[Statutory Authority: 2023 c 265, RCW 28A.185.010, and 28A.185.030. WSR 26-10-094, s 392-170-055, filed 5/6/26, effective 6/6/26. Statutory Authority: RCW 28A.150.290, 28A.185.030, and 28A.185.050. WSR 19-03-152, § 392-170-055, filed 1/22/19, effective 2/22/19. Statutory Authority: RCW 28A.185.050. WSR 18-03-012, § 392-170-055, filed 1/5/18, effective 2/5/18. Statutory Authority: Chapter 28A.185 RCW. WSR 13-07-020, § 392-170-055, filed 3/12/13, effective 4/12/13. Statutory Authority: Chapter 28A.16 RCW. WSR 84-14-037 (Order 84-20), § 392-170-055, filed 6/28/84.]