
SENATE BILL 6282

State of Washington

66th Legislature

2020 Regular Session

By Senators Pedersen, Wellman, Kuderer, Salomon, Mullet, Carlyle, Hunt, Frockt, Holy, Padden, Hawkins, Zeiger, and Wagoner

1 AN ACT Relating to the development of individualized highly
2 capable learning plans; adding a new section to chapter 28A.185 RCW;
3 and creating new 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 may be achieved
8 through a variety of service delivery models, including cohort and
9 noncohort models. This variety of service delivery models allows
10 school districts to address the wide range of instructional and
11 social-emotional services needed for highly capable students.
12 However, given the unique structure of each district's program, the
13 legislature also recognizes the impact to student learning that
14 occurs when school districts change service delivery models, or
15 remove student access to a given model. Therefore, the legislature
16 intends to create a process to protect highly capable student
17 services when a school district removes student access to the cohort
18 model program, or changes the district's program to a noncohort
19 service delivery model for highly capable instruction.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.185

2 RCW to read as follows:

3 (1)(a) When a school district transitions a highly capable
4 student from a cohort model of instruction to a noncohort model of
5 instruction, the school district must develop an individualized
6 highly capable learning plan for that student in consultation with
7 the student's parent or guardian.

8 (b)(i) The school district must develop the individualized highly
9 capable learning plan no later than thirty days after transitioning
10 the highly capable student to a noncohort model of instruction within
11 the classroom. Upon completion, a copy of the individualized highly
12 capable learning plan must be provided to the student's teachers and
13 parent or guardian and recorded in the student's academic file.

14 (ii) Any school district required to develop an individualized
15 highly capable learning plan retroactively, pursuant to section 3 of
16 this act, must fulfill such requirement within thirty days of the
17 effective date of this section.

18 (c) Each individualized highly capable learning plan must, at a
19 minimum, include the following information:

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

24 (ii) A description of the services and transitional supports that
25 the highly capable student will receive under the noncohort model,
26 and how those services will provide the student with the educational
27 opportunities necessary to address the student's unique needs and
28 capabilities, including learning disabilities or special needs;

29 (iii) A personalized plan for how the highly capable student's
30 progress will be measured in all subjects where the student is
31 receiving accelerated learning and enhanced instruction;

32 (iv) A process and timeline for evaluating whether the noncohort
33 model is successfully providing a meaningful opportunity for progress
34 similar to that expected under the cohort model; and

35 (v) A process to modify the individualized highly capable
36 learning plan if necessary.

37 (d) If a school district fails to develop an individualized
38 highly capable learning plan for a student as required under this
39 section, or the individualized highly capable learning plan does not
40 meet the minimum standards required under this section, the student's

1 parent or guardian has a cause of action and may seek all remedies
2 available at law or in equity.

3 (2) For the purposes of this section the following definitions
4 apply:

5 (a) "Cohort model" means a delivery model for highly capable
6 student instruction that provides accelerated learning and enhanced
7 instruction in a self-contained environment among other highly
8 capable students.

9 (b) "Individualized highly capable learning plan" means a plan
10 developed by a school district describing the services that will
11 provide accelerated learning and enhanced instruction, in
12 consultation with the parents or guardians of the identified highly
13 capable student, when the school district transitions that student
14 from a cohort model of instruction to a noncohort model of
15 instruction.

16 (c) "Noncohort model" means a delivery model for highly capable
17 student instruction that provides accelerated learning and enhanced
18 instruction within a general education environment.

19 NEW SECTION. **Sec. 3.** This act applies retroactively to all
20 transitions of highly capable students from a cohort model of
21 instruction to a noncohort model of instruction that occurred after
22 January 1, 2019.

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