

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5072 S SB	<b>Title:</b> Highly capable students
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Superintendent of Public Instruction	.3	91,000	91,000	91,000	.1	30,000	30,000	30,000	.1	30,000	30,000	30,000
<b>Total \$</b>	<b>0.3</b>	<b>91,000</b>	<b>91,000</b>	<b>91,000</b>	<b>0.1</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>	<b>0.1</b>	<b>30,000</b>	<b>30,000</b>	<b>30,000</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Superintendent of Public Instruction	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

Agency Name	2023-25			2025-27			2027-29		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Courts									
Loc School dist-SPI	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Local Gov. Other									
Local Gov. Total									

## Estimated Capital Budget Breakout

<b>Prepared by:</b> Val Terre, OFM	<b>Phone:</b> (360) 280-3973	<b>Date Published:</b> Final 3/ 1/2023
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5072 S SB	<b>Title:</b> Highly capable students	<b>Agency:</b> 350-Superintendent of Public Instruction
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## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.1	0.3	0.1	0.1
<b>Account</b>					
General Fund-State      001-1	76,000	15,000	91,000	30,000	30,000
<b>Total \$</b>	76,000	15,000	91,000	30,000	30,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Alex Fairfortune	Phone: 360-786-7416	Date: 01/27/2023
Agency Preparation: Tisha Kuhn	Phone: 360 725-6424	Date: 02/28/2023
Agency Approval: Amy Kollar	Phone: 360 725-6420	Date: 02/28/2023
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 03/01/2023

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Changed Compared to SB 5072:

Section 4(2): Deleted “except as provided under subsection (3) of this section”.

Section 4(3): Deleted previous section 4(3) indicating that school districts are not required to implement the identification procedures under subsection (2) (a) (i) through (iv) of this section for students that participate in established, full-time mastery-based learning programs and the meaning of the “mastery-based learning program”.

Summary of SSB 5072:

Section 1 (New Section):

- Emphasizes the importance of prioritizing equitable identification of low-income students for participation in highly capable programs and services.
- The legislature intends the following:
  - o Have all school districts use best practices but does not intend to prescribe a single method.
  - o To allocate state funding for basic education programs for highly capable students based on five percent of each school district’s student population. Allows districts the option to identify and serve more than five percent of their students for highly capable program and services.

Section 2:

Strikes language regarding the legislature’s intent not to prescribe a single method for identification and strikes language requiring supplementary funds being categorical funding to provide services as determined by a school district.

Section 3 (New Section):

Section 3(1): Allows other basic education funding to be used alongside categorical funding to identify students.

Section 3(2): Requires school districts to conduct universal screenings in accordance with RCW 28A.185.030 to find students who may qualify for potential highly capable program placement.

Section 4(1): Gives authority to school districts to establish and operate programs of for highly capable students.

Section 4(2): Outlines the identification procedures and educational opportunities.

Section 4(2)(a): Requires school districts to implement procedures for referral, screening, assessment, identification, and placement of highly capable students.

Section 4(2)(a)(i): New language stating that referrals must be available for all grade levels not being universally screened and may be submitted by teachers, other staff, parents, students, and members of the community.

Section 4(2)(a)(ii): Requires each school district to select a grade level to implement universal screening procedures for each student. Universal screenings 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 screenings, which may include previously administered standardized, classroom-based, performance, cognitive, or achievement assessments, or research-based behavior ratings scales.

Section 4(2)(a)(iii): Requires assessments for highly capable program services be based upon a review of each student’s capability and must be conducted within the school day and at the school the student attends.

Section 4(2)(a)(iv): Requires selection and placements be made by a multidisciplinary selection committee after

consideration of the results of the universal screening, and further assessment, and any available district data. Students identified pursuant to procedures outlined in this section must be provided, to the extent feasible, an educational opportunity that takes into account each student's unique needs and capabilities, and the limits of the resources and program options available to the district, including those options that can be developed or provided using funds allocated by Office of Superintendent of Public Instruction (OSPI) for that specific purpose.

Section 4(2)(b): In addition to the criteria listed in (a) of this subsection, requires district practices for identifying the most highly capable students to prioritize must seek to expand access to accelerated learning and enhanced instruction at elementary and secondary schools and advance equitable enrollment practices so that all students, especially students from historically underrepresented and low-income groups can benefit from accelerated learning and enhanced instruction.

Section 4(3): Strikes language regarding what a child will be provided for students selected pursuant to procedures.

Section 4(4): Clarifies that for a student who is a child of a military family in transition, the definitions in Article II of RCW 28A.705.010 apply to subsection (3) of this section.

Section 5(3): Requires OSPI to submit a report to the education committees of the house of representatives, every five years beginning June 30, 2003 to include a brief description of the various instructional programs offered to highly capable students and relevant data to the programs for highly capable students collected under RCW 28A.300.042.

Section 5(4): Beginning November 1, 2023, and annually thereafter, requires OSPI to make data publicly available that includes a comparison of the race, ethnicity, and low-income status of highly capable students compared to the same demographic groups in the general student population of each school district. Reporting must also include comparisons for students who are English language learners, have an individualized education program, have a 504 plan, are covered by provisions of the McKinney-Vento homes assistance act, or are highly mobile.

Section 6(1): Strikes language in reference to when and how OSPI collect and school districts must submit all student-level data using the US Department of Education's 2007 race and ethnicity reporting guidelines.

Section 6(3): Adds highly capable students to the disaggregation of subgroups that OPSI must identify on all student data-related reports.

Section 6(5): Adds highly capable students to the cross-tabulation that OSPI must identify on all student data-related reports regarding student suspensions and expulsions.

Section 6(6): Strikes reference to collection of data related to student race and ethnicity.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

No cash receipts impact anticipated.

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 5(3): Requires OSPI to submit a report to the education committees of the house of representatives, every five years beginning June 30, 2003 to include a brief description of the various instructional programs offered to highly capable students and relevant data to the programs for highly capable students collected under RCW 28A.300.042. OSPI are already required to submit a report, so no OSPI expenditure impact is anticipated as a result of the changes outlined in this

subsection.

Section 5(4) states: Beginning November 1, 2023, and annually thereafter, the superintendent of public instruction must make data publicly available that includes a comparison of the race, ethnicity, and low-income status of highly capable students compared to the same demographic groups in the general student population of each school district.

OSPI does not currently collect this data and new reporting requirements would be needed. Beginning in FY24, OSPI estimates that a 0.5 FTE Data Analyst will be required to design the report outlay, write code, ensure suppression rules, build the report, liaison with program staff to ensure accuracy, and deploy the report in a publicly available manner. In subsequent years, a 0.1 FTE Data Analysts would be needed for required maintenance for the report. The cost of staffing is estimated at \$76,000 in FY24 and \$15,000 in FY25 thereafter.

Section 6(3): Adds highly capable students to the disaggregation of subgroups that OPSI must identify on all student data-related reports. OSPI already collects highly capable student data, so no OSPI expenditure impact is anticipated.

Section 6(5): Adds highly capable students to the cross-tabulation that OSPI must identify on all student data-related reports regarding student suspensions and expulsions. OSPI already collects highly capable student data, so no OSPI expenditure impact is anticipated.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	76,000	15,000	91,000	30,000	30,000
<b>Total \$</b>			76,000	15,000	91,000	30,000	30,000

#### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.5	0.1	0.3	0.1	0.1
A-Salaries and Wages	41,000	8,000	49,000	16,000	16,000
B-Employee Benefits	23,000	5,000	28,000	10,000	10,000
C-Professional Service Contracts					
E-Goods and Other Services	3,000	1,000	4,000	2,000	2,000
G-Travel	3,000	1,000	4,000	2,000	2,000
J-Capital Outlays	6,000		6,000		
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	76,000	15,000	91,000	30,000	30,000

#### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Data Analyst	82,858	0.5	0.1	0.3	0.1	0.1
<b>Total FTEs</b>		0.5	0.1	0.3	0.1	0.1

#### III. D - Expenditures By Program (optional)

NONE

## **Part IV: Capital Budget Impact**

### **IV. A - Capital Budget Expenditures**

NONE

### **IV. B - Expenditures by Object Or Purpose**

NONE

### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### **IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5072 S SB	<b>Title:</b> Highly capable students	<b>Agency:</b> SDF-School District Fiscal Note - SPI
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

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*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Changed Compared to SB 5072:

Section 4(2): Deleted “except as provided under subsection (3) of this section”.

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Section 4(2)(a)(iii): Requires assessments for highly capable program services be based upon a review of each student’s capability and must be conducted within the school day and at the school the student attends.

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consideration of the results of the universal screening, and further assessment, and any available district data. Students identified pursuant to procedures outlined in this section must be provided, to the extent feasible, an educational opportunity that takes into account each student's unique needs and capabilities, and the limits of the resources and program options available to the district, including those options that can be developed or provided using funds allocated by Office of Superintendent of Public Instruction (OSPI) for that specific purpose.

Section 4(2)(b): In addition to the criteria listed in (a) of this subsection, requires district practices for identifying the most highly capable students to prioritize must seek to expand access to accelerated learning and enhanced instruction at elementary and secondary schools and advance equitable enrollment practices so that all students, especially students from historically underrepresented and low-income groups can benefit from accelerated learning and enhanced instruction.

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Section 6(6): Strikes reference to collection of data related to student race and ethnicity.

## **II. B - Cash receipts Impact**

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

No cash receipt impact is anticipated.

## **II. C - Expenditures**

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Sections 3 and 4 of the bill outlines the requirements for school districts to conduct universal screenings in accordance with RCW 28A.185.030 to find students who need further assessment for potential highly capable program placement to include

- Universal screenings 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 assessments or research-based behavior ratings scales.
- Any screenings or additional assessments must be conducted within the school day and at the school the student attends.

The expenditure impact for this section is indeterminate. OSPI is unable to determine the total number of school districts that are currently conducting universal screenings. Section 4(2)(a)(ii) of the bill specifies “There is no requirement to administer a new assessment for the purpose of universal screening, however districts may do so if they desire.” For cost modeling purposes, if districts chose to administer a new tool, OSPI estimates that approximately 200,000 students will be tested each year. The cost per assessment is estimated to be \$12.20 per student. Annual costs for universal screening could be anywhere up to \$2,440,000 statewide. The 2023-24 year estimated statewide highly capable allocation is approximately \$32 million. Directing school districts to use these funds for the requirements of this bill will reduce funding available for direct services to students in the program by approximately \$2.5 million (7.8%). This reduction in funds available to provide direct services would likely be accompanied by an increase in enrollment in the program, which does not have a direct impact on program revenue growth. The available funds per pupil for direct services would be reduced by the requirements in this bill.

Section 4(2)(a)(iv) requires selection and placements be made by a multidisciplinary selection committee after consideration of the results of the universal screening, and further assessment, and any available district data. School districts are already required to convene a committee, so no school district expenditure impact is anticipated as a result of the changes outlined in this subsection.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

#### III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

No capital budget impact is anticipated.

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*