

HOUSE BILL REPORT

SSB 6743

As Passed House - Amended:

March 6, 2008

Title: An act relating to autism awareness instruction for teachers of students with autism.

Brief Description: Regarding training and guidelines for teachers of students with autism.

Sponsors: By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Rasmussen, McAuliffe, Tom and Shin).

Brief History:

Committee Activity:

Education: 2/26/08, 2/28/08 [DPA];

Appropriations Subcommittee on Education: 2/29/08 [DPA(APPE w/o ED)].

Floor Activity:

Passed House - Amended: 3/6/08, 94-0.

Brief Summary of Substitute Bill (As Amended by House)

- Requires the development of recommendations regarding autism awareness instruction and methods of teaching children with autism. The recommendations must be submitted to the Governor and the Legislature and, if approved, requires the adoption of corresponding school district policy.
- Identifies guidelines regarding students with autism that must be included in the autism guidebook and requires the Office of the Superintendent of Public Instruction to print, distribute, and make the autism guidebook available.
- Requires the distribution of information and posters regarding autism, the identification and diagnosis of autism, and available services.

HOUSE COMMITTEE ON EDUCATION

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Majority Report: Do pass as amended. Signed by 9 members: Representatives Quall, Chair; Barlow, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Haigh, Lias, Roach, Santos and Sullivan.

Staff: Cece Clynch (786-7195).

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Majority Report: Do pass as amended by Committee on Appropriations Subcommittee on Education and without amendment by Committee on Education. Signed by 16 members: Representatives Haigh, Chair; Sullivan, Vice Chair; Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Barlow, Haler, Herrera, Hunter, Jarrett, Kagi, Kenney, Ormsby, Quall, Seaquist, Springer and Wallace.

Staff: Ben Rarick (786-7349).

Background:

Autism Spectrum Disorder (ASD). Autism spectrum disorder is a developmental disorder that affects a person's ability to communicate and relate to others. It is characterized by impairments in social interactions, language and communication, and repetitive behaviors and preoccupations. Across the spectrum, there is a wide variability in symptoms and severity. In Washington, ASD is estimated to affect between two and six children per 1,000.

Educator Training and Certification. The 20-member Professional Educator Standards Board (PESB) has responsibility and authority for policy and oversight of Washington's system of educator preparation certification, continuing education, and assignment. This body establishes certification and endorsement requirements for teachers, administrators, and educational staff associates. These certification and endorsement requirements do not apply to classified staff.

For an endorsement in special education, course work regarding "exceptionality," defined as an overview of all disabling conditions, including low to high incidence disabling conditions, is required. Course work in alternative delivery systems and strategies, and instructional methods, for special education is also required. There is no requirement in statute or rule that teachers receive instruction specific to ASD or any other particular disabling condition.

Caring for Washington Individuals with Autism Task Force. In 2005 the Legislature created the Caring for Washington Individuals with Autism Task Force (Task Force). The 2007 Legislation extended and funded the Task Force through June 30, 2008. One of its tasks is to create an autism services guidebook relevant to educators, families, medical professionals, and others.

Summary of Amended Bill:

Subject to funding, the autism guidebook currently being developed by the Autism Taskforce must include several specified guidelines to address the unique needs of students with autism. The Office of the Superintendent of Public Instruction (OSPI) must print and distribute the guidebook, and make it and other autism materials available through its own website and the websites of the Department of Health and the Department of Social and Health Services. The OSPI must also provide copies of the guidebook to educational service districts, school districts, appropriate school employees, parent advocacy groups, and other educational staff who request copies.

The OSPI and the PESB, in collaboration with others, are tasked with developing recommendations for autism awareness and training guidelines for teacher certification and educator professional development. These guidelines must be developed by December 1, 2008, submitted to the Governor and the education committees of the Legislature, and be made available to school districts via the OSPI website. If the Legislature formally approves these recommendations by July 1, 2009, then school districts must develop and adopt policy regarding recommended and mandatory professional development for teachers and appropriate classified staff.

If funds are provided, the OSPI must: (1) collaborate with other agencies and entities to distribute information regarding the location, evaluation, and identification of children who may be eligible for early intervention or special education services; and, (2) develop, distribute, and make available on its website posters with information on autism and how parents can gain access to the diagnosis and identification of autism and contact information for services and supports.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of session in which bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony: (Education)

(In support) Just about every family is touched by autism. Ten years ago, the incidence of autism was thought to be 1/10,000. Today, it is 1/150. When there are properly trained teachers and staff, and appropriate services are provided, children with autism can be successful. All school staff should be educated and trained to work with children with autism. Other states, such as Texas and New Jersey, have guidelines for autism which enable parents to know what to ask for in terms of services and support for their children with autism. These guidelines provide an alternative to resorting to litigation. It is important to make sure that children with autism are provided with the opportunity to learn and thrive. With proper support and services, children with autism can progress. Without it, regression can be dramatic and, therefore, when the schools are lacking, parents may have to homeschool their children with autism. Some school districts seem to have properly trained personnel,

while others do not. Ill-trained teachers can escalate the behaviors. Perhaps there should be requirements that school districts with the best practices share their knowledge and experience with other districts. Teachers are asking for this training, including training with respect to what should be included in individualized education programs (IEPs). These children need more than academics, they also need to be taught social skills. School districts care about children and want to provide support and educational services. Districts also need to be provided with the financial resources to provide what is required.

(Concerns) Three issues rise to the surface when Senate Bill 6743 is looked at together with 6742 and 6388: (1) teacher awareness and training; (2) early identification of autism; and (3) parent access to information so that they can be more effective advocates for their children. The OSPI would like to work with other stakeholders on these issues. Teachers should be provided with instruction in a whole range of disabilities, including autism. There is a need for more funding in this area, including federal funding.

(Opposed to autism-specific IEPs) The whole idea behind an IEP is that it be individualized to the student. Each student should be treated as an individual, and an individual's unique needs be taken into consideration. An autism-specific IEP would be redundant at best and at worst it could be harmful. Such a requirement could also be very expensive and greatly increase the paperwork just when both the federal and state regulations call for a reduction of paperwork.

Staff Summary of Public Testimony: (Appropriations Subcommittee on Education)

(In support) It is not clear that the bill can be implemented with the amount of funding in the fiscal note. However, this is a very important bill. The bill would impact students with autism by providing guidelines to teachers to provide them information about best practices. Without funding for the autism task force, there is a chance the work would not get done. There was compelling testimony and hard work in bringing the two bills together. The striker tasks the right people with pulling the right information together. If additional training or other requirements are added to the bill, funding needs to be looked at carefully as schools have not planned for those tasks. There are concerns about the fiscal note because of the autism task force. The manual created was supposed to be based on one created in Ohio, but the existing one is not written for educators. The finalized manual will take more time and require more funds.

(Opposed) None.

Persons Testifying: (Education) (In support) Senator Rasmussen, prime sponsor; Arzu Forough, Autism Speaks; Diana Stadden, Autism Society of Washington; Therese Holliday; Nasue Nishida, Professional Educator Standards Board; and Haim Strasbourger.

(Concerns) Bob Cooper, Washington Association of Colleges for Teacher Education; Kathy Bartlett, Franklin Pierce School District; and Brian Jeffries, Office of the Superintendent of Public Instruction.

(Opposed to autism-specific IEPs) Sean Whalen.

Persons Testifying: (Appropriations Subcommittee on Education) Senator Rasmussen, prime sponsor; Diana Stadden, Autism Society of Washington; and Lucinda Young, Washington Education Association.

Persons Signed In To Testify But Not Testifying: (Education) None.

Persons Signed In To Testify But Not Testifying: (Appropriations Subcommittee on Education) None.