

# SENATE BILL REPORT

## ESSB 5450

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As Passed Senate, March 2, 2007

**Title:** An act relating to students with disabilities.

**Brief Description:** Allowing students whose individualized education program continues beyond high school to participate in high school graduation ceremonies.

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

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 2/01/07, 2/19/07 [DPS].  
Passed Senate: 3/02/07, 48-0.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 5450 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Holmquist, Ranking Minority Member; Brandland, Clements, Eide, Hewitt, Hobbs, Kauffman, Oemig, Rasmussen, Weinstein and Zarelli.

**Staff:** Kimberly Cushing (786-7421)

**Background:** The State Board of Education (SBE) determines the minimum state high school graduation requirements. School districts may adopt additional graduation requirements.

Students are assigned an expected graduation year based on the year they begin ninth grade. However, students receiving special education services are assigned an expected year of graduation when they turn age 16 based on the students' Individualized Education Program (IEP).

School districts must adopt written policies and procedures for meeting the unique needs of students receiving special education services. The procedures must allow special education students to remain in school until they graduate or reach age 21. Thus, a student's IEP may provide for the student to continue in high school beyond a fourth year.

**Summary of Engrossed Substitute Bill:** Beginning July 1, 2007, school districts must have policies and procedures that permit students receiving special education services under an IEP

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to participate in a graduation ceremony after four years of high school attendance and to receive a certificate of attendance.

A student who participates in a graduation ceremony and a receives a certificate of attendance is not precluded from continuing to receive special education services under an IEP. However, participating in graduation exercises does not entitle a student to a high school diploma or a certificate of individual achievement.

The act may be known as Kevin's law.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony:** PRO: A high school graduation ceremony is a rite of passage for all students. Students like Kevin have accomplished so much by meeting their IEP requirements, and if they are not allowed to walk with classmates they and their parents are heartbroken. Allowing a student with a disability to walk without giving up transition services should be a state law; it should not be an individual school district's decision. This is not about awarding a diploma. The language may work better under the graduation section of the code rather than the special education section.

**Persons Testifying:** PRO: Senator Rasmussen, prime sponsor; Howard, Kathy, Kevin Britt, citizens; Allison Lewis, citizen; Emily Rogers, Arc of Washington State; Stacy Gillett, Dussault Law Group; George Adams, Self-Advocates in Leadership (SAIL) Coalition; Christie Perkins, Washington State Special Education Coalition.