

# HOUSE BILL REPORT

## HB 1735

---

### As Reported by House Committee On: Education

**Title:** An act relating to holding state agencies accountable for providing opportunities for certain students to participate in transition services.

**Brief Description:** Concerning accountability in providing opportunities for certain students to participate in transition services.

**Sponsors:** Representatives Reykdal, Parker, Seaquist, Walsh, Bergquist, Holy, Maxwell, Haigh, Stonier, Kagi, Hargrove, Ryu, Clibborn, Tarleton, Tharinger, Pollet, Morrell, Santos and Magendanz.

#### **Brief History:**

##### **Committee Activity:**

Education: 1/20/14, 1/29/14 [DPS].

#### **Brief Summary of Substitute Bill**

- Requires transition services for special education students begin as soon as an Individualized Education Program is created.
- Requires the Office of the Superintendent of Public Instruction (OSPI) to establish interagency agreements with state agencies providing high school transition services for students with disabilities.
- Directs the OSPI and the Professional Education Standards Board to build transition services training into existing and ongoing educator requirements.
- Requires the Education Research and Data Center to monitor special education students outcomes after high school graduation.
- Requires the OSPI to prepare an annual report on the data and outcomes and submit the report to the Legislature.

---

#### **HOUSE COMMITTEE ON EDUCATION**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Santos, Chair; Stonier, Vice Chair; Dahlquist,

---

*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.*

Ranking Minority Member; Magendanz, Assistant Ranking Minority Member; Bergquist, Fey, Haigh, Hargrove, Hawkins, Hayes, S. Hunt, Klippert, Muri, Orwall, Parker, Pollet, Seaquist and Warnick.

**Staff:** Megan Wargacki (786-7194).

**Background:**

Currently, the Office of the Superintendent of Public Instruction (OSPI) serves approximately 130,000 students eligible for special education services under the Individuals with Disabilities Education Act (IDEA).

An Individualized Education Program (IEP) is a written statement for a student with disabilities that is developed, reviewed, and revised annually by an IEP team. The IEP team includes the student's parent or guardian, one of the student's general education teachers, one special education teacher, a representative of the school district, someone who can interpret assessment results, and others who may have special knowledge or expertise. Transition services must be included in the IEP beginning at age 16, or earlier if appropriate, so the IEP can be focused on preparing the student for life after secondary school. To coordinate responsibilities for providing these services, the OSPI has five interagency agreements, including agreements with the Department of Social and Health Services (DSHS), the Department of Services for the Blind (DSB), the Department of Health, and the Division of Vocational Rehabilitation.

The OSPI is required to report annually on the performance of the State of Washington in providing special education services to students. The performance of each individual school district must also be included in this yearly report. This performance data must include the post-high school outcomes of special education services students. The OSPI works with the Center for Change in Transition Services to track and report this data.

The Professional Educator Standards Board (PESB) establishes policies and requirements for the preparation and certification of education professionals, including continuing education. The PESB manages the assessment for endorsement of special education teachers and certification of school psychologists.

The Education Research and Data Center (ERDC) in the Office of Financial Management collaborates with agencies representing education and employment and the Legislative Evaluation and Accountability Program to conduct analysis of early learning, K-12, and higher education programs and workforce issues.

---

**Summary of Substitute Bill:**

The OSPI must establish interagency agreements with the DSHS, the DSB, and any other state agencies that provide high school transition services for special education students. These agreements must not interfere with the existing IEP, nor override any IEP team's decision-making power. The agreements should foster effective multiagency collaboration in

providing services to students from the beginning of transition planning through age 21, or until they graduate from high school, whichever occurs first. These agreements are also intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency.

The OSPI and the PESB must build into existing and ongoing educator requirements that special education teachers and school psychologists receive training to prepare them to address the transition needs of these special education students.

To the extent the data is available through data-sharing agreements, the ERDC must monitor the following outcomes for special education students after high school graduation:

- the number of students who, within one year of high school graduation enter certain types of integrated employment, or postsecondary education or certain training programs;
- the wages and number of hours worked per pay period;
- the impact of employment on benefits for individuals with disabilities;
- indicators of the types of settings in which these students primarily reside;
- indicators of improved economic status and self-sufficiency; and
- certain data on those students for whom a postsecondary or integrated employment outcome does not occur within one year of high school graduation.

To the extent that the necessary data are not available to the ERDC, the OSPI must attempt to collect the data through a single communication after the student's graduation.

The OSPI must prepare an annual report on the data and outcomes and submit the report to the Legislature.

#### **Substitute Bill Compared to Original Bill:**

The applicable high school transition services must be provided to special education students, rather than students with disabilities or students covered under a Section 504 Plan. The multiagency collaboration to provide transition services must start as soon as transition planning begins, rather than when the student turns 14 years old. The agreements are prohibited from interfering with the existing IEP and overriding the IEP team's decision-making power. The OSPI is required to collaborate with the PESB to build into existing and ongoing educator requirements the appropriate trainings, rather than being required to ensure that teachers and psychologists receive the training. The OSPI is required to attempt collection of certain data through a single communication after student graduation, if the data is not otherwise available, rather than be required to collect the data. The subsection providing a definition for "integrated employment" is removed.

---

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on January 29, 2014.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Students who participate in transition services are often directed to employment or other things, rather than to higher education. It is time to obsess about special education students. Outcomes cannot be changed until it is known what special education students are doing after high school. The lives of foster care students were changed when the OSPI was required to share data and extend services to age 21. Many children fall through the cracks because of problems with coordinating agencies and tracking data. There is "one-stop shopping" at the schools, but once children leave school they must apply for services. If students do not apply, then they lose valuable services. This bill will ensure young adults reach their full potential. In some counties, employers work with students during their last year of high school; in these counties 80 percent of transition services students become employed after school. The OSPI is equipped to track outcomes.

This bill requires agencies to collaborate with the OSPI to get more students with disabilities working after school. Some school psychologists welcome the opportunities provided in the bill. They support expanding their duties with training to address transition students who have diverse disabilities and needs. The transition services team deals with a variety of disabilities, so the team needs training on a variety of disabilities. Many students who are smart, but have autism, do not have help to get a job. This bill is beneficial because agencies will be able to help children obtain jobs when they graduate. These kids should not have to go into shelters or have their relatives care for them. It is complex to transition from school to adulthood. Some children are pushed out of the transition services program before age 21.

Washington state did not meet performance targets under federal law for transition services students. It is recommended that the bill talk about accountability and transition programs starting with funding. Some students do not have access to basic education during their transition programs. Some teachers in the transition services program are given only two spiral notebooks and three pencils. Accountability needs to include funding and where the money is going. College and career readiness involves basic education; special education must not be siloed.

(Neutral) The new bill takes care of workload issues and student privacy issues. But, there are two issues that are not addressed yet. First, the OSPI is required to establish interagency agreements. Some parents and agencies agree to participate in preparing these agreements and some do not. It is important that all stakeholders are at the table in creating the IEPs. Second, there needs to be extra funding to pay for additional training for current special education teachers and school psychologists. If funding is not added, then current staff should not be required to have the new training.

(Opposed) None.

**Persons Testifying:** (In support) Representative Reykdal, prime sponsor; Karen Williams, Trillium Employment; Richard Coate, Tumwater School District; Zoe Taylor; Marcie Osbourne, Community Employment Alliance; and Lynn Tucker.

(Neutral) Wendy Rader-Konofalski, Washington Education Association.

**Persons Signed In To Testify But Not Testifying:** None.