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## Education Committee

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### HB 2248

**Brief Description:** Concerning transition services for special education students.

**Sponsors:** Representatives Santos and Orwall.

#### Brief Summary of Bill

- Requires transition planning, as specified for students with an Individualized Education Program, for Section 504 plan-eligible students.
- Provides that the purpose of the interagency agreements for transition services is expanded to include services for Section 504-plan eligible students.

**Hearing Date:** 1/11/16

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

#### **Background:**

##### High School and Beyond Plan.

The Legislature authorized the State Board of Education (SBE) to establish the minimum state requirements for high school graduation, within certain parameters established by the Legislature. The SBE's rules require each student to have a High School and Beyond Plan (HSBP) that describes what the student expects to do the year following graduation.

##### Special Education.

Under federal and state law, school districts must provide an appropriate educational opportunity to children with disabilities. An appropriate education is specially designed instruction or related services to address the unique needs, abilities, and limitations of a student with a disability.

The federal Individuals with Disabilities Education Improvement Act requires that districts provide to each public school child who receives special education an Individualized Education Program (IEP). An IEP guides a student's learning while in a special education program. It describes the amount of time the student will spend receiving special education, any related

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services the student will receive, and the academic/behavioral goals and expectations for the year. The IEP is developed and revised annually by an IEP team, which 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.

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law that prohibits discrimination against individuals with disabilities. It applies to any school which receives federal funds. A Section 504 plan details the accommodations that will be made to ensure a student with disabilities has equal access to educational programs, services, and activities. The Section 504 plan is reevaluated periodically and prior to a significant change of placement. One way to meet Section 504 requirements is to implement an IEP, however an IEP is only available to students with disabilities who require special education services.

#### Transition Plans and Services.

By the age of 16, students receiving special education services with an IEP must begin to develop a transition plan as part of their IEP. These plans include setting postsecondary goals for employment, education, and independent living skills, where appropriate. The plans also include developing a high school course of study and other activities for skills development to help students reach their goals. These components are also part of high-quality HSBP.

Legislation adopted in 2014 (*i.e.*, 2SSB 5958, enacted as ch. 47 Laws of 2014) required the Office of the Superintendent of Public Instruction to establish interagency agreements with the Department of Social and Health Services, the Department of Services for the Blind, and other state agencies that provide high school transition services for special education students. The stated purpose of these agreements is to foster effective collaboration among the multiple agencies providing these services for IEP-eligible special education students from the beginning of transition planning through age 21, unless the student has graduated from high school. These agreements are intended to streamline services and programs, promote efficiencies, and establish a uniform focus on improved outcomes related to self-sufficiency. However, these provisions did not require transition service plan development in addition to what existed on June 12, 2014.

Legislation adopted in 2015 (*i.e.*, SSB 5679, enacted as ch. 217 Laws of 2015) required that the multiple agencies that provide transition services for special education students do so as soon as educationally and developmentally appropriate. In addition, the legislation added requirements to transition planning for students with IEPs:

- Transition planning must be based on educationally and developmentally appropriate transition assessments that outline the student's needs, strengths, preferences, and interests.
- Transition services, including activities to assist the student in reaching postsecondary goals and courses of study to support the goals, must be addressed in the transition plan.
- Transition activities may include instruction, related services, community experience, employment and other adult living objectives, daily living skills, and functional vocational evaluation.
- As a student gets older, changes in the transition plan may be noted at the annual update of the student's IEP. A student with disabilities who has a HSBP may use that plan as the required transition plan.

The 2015 legislation also added provisions related to the student's postsecondary goals:

- To determine the postsecondary goals, a discussion should take place with the student, the student's parents, and others, as needed.
- The goals must be measurable and based on transition assessments, when necessary.
- The goals must also be based on the student's needs, strengths, preferences, and interests.

**Summary of Bill:**

Transition planning, as specified for students with IEPs, is required for Section 504 plan-eligible students.

The purpose of the interagency agreements for transition services is expanded to include services for Section 504-plan eligible students.

**Appropriation:** None.

**Fiscal Note:** Requested on 1/8/16.

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