
Education Committee

HB 2409

Brief Description: Increasing supports for special needs students.

Sponsors: Representatives Orwall, Santos, Gregerson, Johnson, Reykdal, Magendanz, Pollet, Ortiz-Self, S. Hunt, Moscoso, Fitzgibbon, Bergquist, Rossetti, Tarleton, Zeiger, Stanford, Muri, Farrell, McBride and Ormsby.

Brief Summary of Bill

- Requires that school districts provide interpreter and translation services at each meeting related to a student's Individualized Education Program or Section 504 plan when the primary language of the child's parent or guardian is a language other than English.
- Requires school districts to prepare a postsecondary transition plan, with certain elements, for a Section 504-eligible high school student.
- Provides that a discussion about the postsecondary transition plan must take place each year that the student is in high school.

Hearing Date: 1/25/16

Staff: Megan Wargacki (786-7194).

Background:

Special Education.

Under federal and state laws, 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 services the student will receive, and the academic/behavioral goals and

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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 that 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.

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.

Postsecondary Transition Plans.

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 2015 (*i.e.*, SSB 5679, enacted as ch. 217 Laws of 2015) 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.

Summary of Bill:

Interpreter and Translation Services.

Beginning in the 2016-17 school year, when the primary language of a child's parent or guardian is a language other than English, a school district must:

- provide an interpreter at each meeting related to such student's IEP or Section 504 plan; and

- translate such student's IEP or Section 504 plan into the primary language of the child's parent or guardian.

School districts are encouraged to collaborate with an Educational Service District and community partners on language translation and interpreting services.

Postsecondary Transition Plans.

Beginning in the 2016-17 school year, school districts must prepare a postsecondary transition plan for a high school student who qualifies under Section 504. The plan may be part of the student's HSPB, or similar plan required by the SBE for high school graduation.

The postsecondary transition plan must include:

- the student's postsecondary goals, which must be (i) measurable, (ii) based on appropriate transition assessments related to training, education, employment, and independent living skills, as necessary, and (iii) based on the student's needs, while considering his or her strengths, preferences, and interests;
- the appropriate accommodations, services, and supports needed by the student to achieve his or her postsecondary goals; and
- ways the student can connect with the community, government, and educational resources needed by the student to achieve his or her postsecondary goals.

Every year that the student is in high school, a discussion must take place with the student, the student's parents or guardians, and others as needed, to determine or update the student's postsecondary transition plan. This discussion may be included as part of an annual Section 504 plan meeting, HSBP meeting, or any other meeting that includes the student, his or her parents or guardians, and school staff.

Appropriation: None.

Fiscal Note: Requested on 1/19/16.

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