

2SHB 1305 - H AMD 1016

By Representative Pollet

NOT CONSIDERED 03/07/2024

1 On page 2, line 13, after "(b)" strike all material through "or"
2 and insert "Except"

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4 On page 2, beginning on line 17, after "services." strike all
5 material through "activity." on line 29 and insert "In accordance with
6 Part B of the federal individuals with disabilities education act, 20
7 U.S.C. Sec. 1400 et seq., the office of the superintendent of public
8 instruction may establish in rule research-based deadlines that may be
9 longer or shorter than 60-calendar days for specific types of
10 evaluations or categories of disability. For example, the rules may
11 allow a school district to exceed the 60-calendar day deadline during
12 summer breaks when conducting a quality evaluation warrants additional
13 time."

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15 On page 3, after line 7, insert the following:
16 "NEW SECTION. Sec. 3. (1) While the use of a multitiered system
17 of supports may not be used to delay or deny an evaluation to
18 determine whether a student is eligible for special education
19 services, school districts are encouraged to implement research-based
20 strategies and interventions using the framework of the Washington
21 integrated student supports protocol, established under RCW 28A.
22 300.139, through a multitiered system of supports to identify and
23 support students who may have a specific learning disability.

24 (2)(a) School districts using a process based on a student's
25 response to scientific, research-based interventions to determine if a
26 student has a specific learning disability, in accordance with Title
27 20 U.S.C. Sec. 1414 of the federal individuals with disabilities

1 education act, may offer a written intervention plan to the parents of
2 students who are not meeting age or grade level standards.

3 (b) An intervention plan may describe the research-based
4 strategies and interventions to be provided to the student, set
5 measurable student performance goals, and establish a reasonable
6 timeline for meeting with the parent to determine whether the student
7 has made adequate progress towards the goals or whether more intensive
8 strategies and interventions must be provided to the student."

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10 Renumber the remaining sections consecutively and correct any
11 internal references accordingly.

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13 On page 3, beginning on line 32, after "least" strike all material
14 through "1,000" on line 33, and insert "one percent of the school's
15 total parent population or 50"

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17 On page 5, line 18, after "August 1," strike "2029" and insert
18 "2030"

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20 On page 11, line 7, after "June 30," strike "2023" and insert
21 "2024"

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23 Correct the title.

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EFFECT: (1) Relating to the special education evaluation
deadline:
(a) Maintains the requirement that a school district conduct an
evaluation and determine whether a student is eligible for special
education services within 60 calendar days of receiving a parent's
consent to evaluate the student, except as provided in rule of the
Office of the Superintendent of Public Instruction (OSPI);
(b) Strikes language: (i) specifying that, when the evaluation
activities include student observations in the classroom or school
setting, the 60 calendar day evaluation deadline may be suspended
during school holidays of a week or longer; and (ii) providing

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examples of circumstances that may warrant an evaluation timeframe longer than 60 calendar days; and

(c) Authorizes the OSPI to, instead, establish research-based timeframes that may be longer or shorter than 60-calendar days for specific types of evaluations or categories of disability, in accordance with the federal Individuals with Disabilities Education Act (IDEA).

- (2) Specifies that, while the use of a multitiered system of supports may not be used to delay or deny an evaluation to determine whether a student is eligible for special education services, school districts are encouraged to implement research-based strategies and interventions using the framework of the Washington Integrated Student Supports Protocol through a multitiered system of supports to identify and support students who may have a specific learning disability.
- (3) Allows school districts using a process based on a student's response to scientific, research-based interventions to determine if a student has a specific learning disability, in accordance with the IDEA, to offer a written intervention plan to the parents of students who are not meeting age or grade level standards, and describes the optional components of the plan.
- (4) Changes requirements for school districts to provide written translation of special education-related documents, such that written translation is required for each limited English proficient parent group that constitutes at least one percent of the school's total parent population or 50 persons, whichever is less (rather than for each limited English proficient parent group that constitutes at least five percent of the school's total parent population or 1,000 persons, whichever is less).
- (5) Extends by one year, to August 1, 2030, the expiration date of the grant program for providing funding to educational service districts for the purpose of making school psychologists and other providers available to conduct initial special education evaluations and reevaluations for special education.
- (6) Specifies that the act is null and void if funding is not provided by June 30, 2024, rather than June 30, 2023.

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