
Education Committee

SB 5451

Brief Description: Authorizing students who are covered by section 504 of the rehabilitation act of 1973 to obtain a certificate of individual achievement.

Sponsors: Senators Rasmussen and McAuliffe.

Brief Summary of Bill

- Allows students eligible for accommodations under Section 504 of the federal Rehabilitation Act of 1973 to participate in alternate assessments and earn a Certificate of Individual Achievement for high school graduation.

Hearing Date: 3/16/07

Staff: Barbara McLain (786-7383).

Background:

Beginning with the graduating class of 2008, special education students who are not appropriately assessed by the Washington Assessment of Student Learning (WASL), even with accommodations, may earn a Certificate of Individual Achievement (CIA) for high school graduation. The determination of whether the WASL is appropriate is made by the student's individualized education program (IEP) team. The Superintendent of Public Instruction has developed guidelines for determining which students should not be required to participate in the WASL and which types of alternate assessments are appropriate to use.

Alternate assessments include the Modified WASL where students can meet standard at a lower cut score; the Developmentally Appropriate WASL where students take an assessment at a lower grade level; or the Washington Alternate Assessment System Portfolio for students with significant cognitive disabilities.

Section 504 refers to a federal civil rights law enacted as part of the Rehabilitation Act of 1973 that protects people with disabilities from discrimination in areas such as education and the workplace. Under the law, an individual with a disability is anyone who has a mental or physical impairment that substantially limits one or more major life activities, including the individual's

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ability to access learning in the educational setting because of a learning-, behavior-, or health-related condition. As recipients of federal funds, schools must take steps to reduce barriers for any disabled student to access learning by making accommodations for them. Schools develop 504 Plans for qualifying students that outline such accommodations as extended time on tests or assignments, enlarged print, computer-aided instruction, assistance with note-taking, preferred seating assignments, oral testing, etc.

Students eligible for accommodation under Section 504 are not necessarily eligible for special education. Special education and IEPs are for students needing specially designed instruction in addition to other possible accommodations in order to benefit from education.

Summary of Bill:

Students covered by Section 504 of the federal Rehabilitation Act of 1973 are eligible to earn a CIA for high school graduation. Guidelines developed by the SPI for determining participation by special education students in the state assessment system must also allow a student covered by Section 504 to participate in the alternate assessments leading to a CIA if the student has taken the WASL once.

Appropriation: None.

Fiscal Note: Not requested.

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