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**SUBSTITUTE HOUSE BILL 2409**

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**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** House Education (originally sponsored by Representatives Orwall, Santos, Gregerson, Johnson, Reykdal, Magendanz, Pollet, Ortiz-Self, S. Hunt, Moscoso, Fitzgibbon, Bergquist, Rossetti, Tarleton, Zeiger, Stanford, Muri, Farrell, McBride, and Ormsby)

READ FIRST TIME 02/01/16.

1 AN ACT Relating to supporting special needs students; adding a  
2 new section to chapter 28A.600 RCW; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.600  
5 RCW to read as follows:

6 (1) A school district has a duty to provide a free appropriate  
7 public education to students with disabilities under the requirements  
8 of the federal rehabilitation act of 1973, section 504.

9 (2) At the time of enrollment, the school district shall notify  
10 the parent or guardian of each enrolling student of the procedural  
11 safeguards used by the district to identify, evaluate, and place a  
12 child who needs, or is believed to need, accommodations or related  
13 services.

14 (3) For a student who is eligible for services under section 504  
15 of the rehabilitation act of 1973, the school district shall convene  
16 at least one meeting per year with the student, the student's parent  
17 or guardian, and the members of the student's section 504 team to  
18 reevaluate the student's section 504 plan. At the request of the  
19 parent or guardian of a section 504-eligible student, the district  
20 must convene additional meetings to evaluate the success of the plan.

1 (4)(a) At the initial placement meeting of a student's section  
2 504 team, the school district shall provide the parent or guardian of  
3 the student with the district's section 504 procedural safeguards and  
4 make the parent or guardian aware of the related aids or services  
5 that the section 504-eligible student is entitled to in order to  
6 receive a free appropriate public education.

7 (b) Such aids and services may include: School health services;  
8 counseling; environmental, instructional, and behavioral  
9 accommodations; postsecondary transition planning and services; and  
10 transportation.

11 (5)(a) If the section 504 team determines that a section 504-  
12 eligible student needs postsecondary transition services to receive a  
13 free appropriate public education, then, when educationally and  
14 developmentally appropriate, a student's section 504 team must  
15 prepare a transition plan that includes:

16 (i) The student's postsecondary goals, which must be based on  
17 appropriate transition assessments related to training, education,  
18 employment, and independent living skills, as necessary, and based on  
19 the student's needs, while considering his or her strengths,  
20 preferences, and interests;

21 (ii) The appropriate accommodations, services, and supports  
22 needed by the student to achieve his or her postsecondary goals; and

23 (iii) Ways the student can connect with the community,  
24 government, and educational resources needed by the student to  
25 achieve his or her postsecondary goals.

26 (b) If a postsecondary transition plan is required under this  
27 subsection, then such a plan must be developed in conjunction with  
28 the student's high school and beyond plan, or similar postsecondary  
29 transition plan required by the state board of education for high  
30 school graduation.

31 (6) The school district must take whatever action is necessary to  
32 ensure that the parent or guardian of a section 504-eligible student  
33 understands the proceedings of the section 504 team meeting,  
34 including arranging for an interpreter for parents or guardians with  
35 deafness or whose native language is other than English. The district  
36 is encouraged to contract with multilingual interpretation and  
37 translation services to facilitate access to these services and lower  
38 costs.

1           (7) The school district must make its policy and procedures for  
2 complying with section 504 of the rehabilitation act of 1973 readily  
3 available to community members through the district's web site.

4           NEW SECTION.   **Sec. 2.** This act takes effect August 1, 2016.

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