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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)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**--- END ---**