

SENATE BILL REPORT

SB 6742

As Reported By Senate Committee On:
Early Learning & K-12 Education, February 06, 2008

Title: An act relating to specialized individualized education programs for students with autism.

Brief Description: Requiring development of programs and guidelines for students with autism.

Sponsors: Senators Rasmussen, McAuliffe, Tom and Kline.

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/28/08, 2/06/08 [DPS].

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6742 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; King, Ranking Minority Member; Brandland, Eide, Hobbs, Holmquist, Kauffman, McDermott, Oemig, Rasmussen and Weinstein.

Staff: Roman Dixon (786-7438)

Background: Under the federal Individuals with Disabilities Act (IDEA), the term "individualized education program (IEP)" means a written statement for each child with a disability that is developed, reviewed, and revised in accordance with IDEA's specified elements. The IEP lays out the school's commitment to provide special education and related services to eligible students with certain disabilities per IDEA. Each eligible student must have an IEP in effect before the student can receive special education and related services.

Washington's IEP requirements are nearly identical to those of the IDEA. However, under current law, neither IDEA nor Washington require autism-specific IEPs for children identified to have autism or an autism spectrum disorder (ASD).

Summary of Bill (Recommended Substitute): The Office of the Superintendent of Public Instruction (OSPI), in consultation with the autism task force and representatives from other state and nonprofit agencies, must develop guidelines for an autism specific supplement to be used in conjunction with an IEP. Those guidelines must consider, but need not be limited to, extended educational programming, in-home and community-based training, positive behavior support strategies, futures planning, parent and family training and support, a suitable staff-to-student ratio as well as other factors specified in the bill. The supplement should address the unique needs of students with autism.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

By September 1, 2008, OSPI must develop and submit the recommendations for the guidelines to the Governor and the education committees of the Legislature. By December 1, 2008, OSPI must report the policy guidelines to school districts in order for districts to develop and adopt district policies. By April 1, 2009, each school district must use the guidelines to develop local policies to address the needs of students within its district.

EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Substitute): The amendment adds language to the intent section. It also strikes the requirement to develop guidelines for autism specific individualized programs. It inserts the requirement to develop guidelines for an autism specific supplement to be used in conjunction with an IEP.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: PRO: This bill was the result of the recommendations of the Autism Task Force. Special education is designed to assist students to be as productive as possible. The result of not educating autistic children has enormous long-term consequences. The legislature can pay now or later. General IEPs have never fully and adequately addressed the needs of autistic children. Reports indicate that over one-half of the children, who receive the proper training function at grade level, are virtually indistinguishable from their peers upon entry into the first grade. The other half make great strides. However, the majority of students are being taught by teachers who don't know what they are doing. As a result, many students regress, become behavioral problems, and never maximize their potential.

CON: IEPs should be written to the child and not to their disability. It is agreed that we need to provide more support to schools, families and those affected by autism. One way to do that is to focus on early screening and diagnosis. However, to have IEPs very specific runs counter to the intent behind IEPs.

Persons Testifying: PRO: Senator Rasmussen, prime sponsor; Arzu Forough, Autism Speaks; Tami Giles, parent.

CON: Brian Jeffries, OSPI.