

SENATE BILL REPORT

SB 5348

As of February 7, 2017

Title: An act relating to students who receive special education services who earn certificates of individual achievement.

Brief Description: Concerning students who receive special education services who earn certificates of individual achievement.

Sponsors: Senators Fain, Rolfes, Zeiger, Darneille, Conway, Keiser and Kuderer.

Brief History:

Committee Activity: Early Learning & K-12 Education: 2/06/17.

Brief Summary of Bill

- Requires that a student receiving special education services who earns a Certificate of Individual Achievement (CIA) may remain eligible to receive transition services until the age of 21.
- Requires that if the school district provides transition services then the student will continue to generate state and federal funding from the school district.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: Under state and federal law, school districts must provide special education to students between the ages of 3 and 21 who have a disability requiring specially designed instruction tailored to meet the unique needs of the child. An Individual Education Program (IEP) guides the special education provided to a student with a disability. The IEP is developed by regular and special education teachers, the parent of the child, and others depending on the child's disability.

Since 2008, to graduate from high school, students must meet the state standard on the statewide high school assessments in English language arts and mathematics, and beginning in 2017 also in science to earn a Certificate of Academic Achievement (CAA); unless the student has a disability such that the student is not appropriately assessed by the statewide

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assessment, even with accommodations. The IEP team determines whether the state high school assessment is appropriate to assess a student with a disability. If the state assessment is not appropriate, then instead of earning a CAA the student must earn a Certificate of Individual Achievement (CIA) to graduate from high school. The CIA may be earned using multiple ways to demonstrate skills and abilities commensurate with the student's IEP. Diplomas are the same whether a student earns a CAA or a CIA. Although, a student's high school transcript must note when a student has earned a CIA.

As soon as educationally and developmentally appropriate, but at least by the age of 16, a student's IEP must include transition planning and services to facilitate the student's movement from school to post-school activities. Transition planning and services must address post-secondary education or training, employment, and where appropriate, independent living skills. Transition services must be provided through the age of 21, or through high school graduation, whichever occurs first. State law requires the Office of the Superintendent of Public Instruction to establish interagency agreements with the Department of Social and Health Services, the Department of Services for the Blind, and any other state agency that provides high school transition services for students with disabilities in order to foster collaboration among the multiple agencies providing transition services.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Proposed Substitute): A student receiving special education services who earns a CIA may remain eligible to receive transition services until the age of 21 from a school district, if the student's IEP specifies a need for transition services. If the transition services are provided by the school district, then the student must continue to generate state and federal funding for the school district.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony on Proposed Substitute: PRO: We have special education students from more than one school district who would benefit from this bill passing. These students are students who fully participate during their four years of high school and they qualify to graduate but because they have an IEP the districts do not graduate them so that the district can continue to provide the student services until the student is twenty-one. These students are being counted as dropouts. We want to make it clear that it is the policy of this state that these students graduate when they earn the CIA and should be counted as graduates. We also want to clarify that even though the student qualifies for graduation the state and federal funding still needs to flow to the school district that provides services for these students until they are twenty-one. We want to work with you to get the language correct. We understand that the federal government does not continue to provide funding after a student graduates. We are checking on this and if this is true then the state

should step-up and provide that additional funding that the federal government no longer provides.

Persons Testifying: PRO: Dan Besett, Principal, Tacoma Public Schools; Charlie Brown, Tacoma and Everett Public Schools; Dave Mastin, OSPI.

Persons Signed In To Testify But Not Testifying: No one.