

2SHB 1305 - H AMD 357

By Representative Couture

NOT CONSIDERED 01/02/2024

1 On page 4, after line 36 insert the following:

2 "NEW SECTION. **Sec. 7.** Subject to the availability of amounts
3 appropriated for this specific purpose, each educational service
4 district shall contract for speech language pathologists,
5 audiologists, psychologists, physical therapists, orientation and
6 mobility specialists, occupational therapists, and behavior analysts
7 for the purpose of providing services to local students eligible for
8 special education services.

9

10 **Sec. 8.** RCW 43.06B.010 and 2013 c 23 s 82 are each amended to
11 read as follows:

12 (1) There is hereby created the office of the education ombuds
13 within the office of the governor for the purposes of providing
14 information to parents, students, and others regarding their rights
15 and responsibilities with respect to the state's public elementary
16 and secondary education system, and advocating on behalf of
17 elementary and secondary students.

18 (2)(a) The governor shall appoint an ombuds who shall be a
19 person of recognized judgment, independence, objectivity, and
20 integrity and shall be qualified by training or experience or both
21 in the following areas:

22 (i) Public education law and policy in this state;

23 (ii) Dispute resolution or problem resolution techniques,
24 including mediation and negotiation; and

25 (iii) Community outreach.

26

27

1 (b) The education ombuds may not be an employee of any school
2 district, the office of the superintendent of public instruction, or
3 the state board of education while serving as an education ombuds.

4 (3) Before the appointment of the education ombuds, the governor
5 shall share information regarding the appointment to a six-person
6 legislative committee appointed and comprised as follows:

7 (a) The committee shall consist of three senators and three
8 members of the house of representatives from the legislature.

9 (b) The senate members of the committee shall be appointed by
10 the president of the senate. Two members shall represent the
11 majority caucus and one member the minority caucus.

12 (c) The house of representatives members of the committee shall
13 be appointed by the speaker of the house of representatives. Two
14 members shall represent the majority caucus and one member the
15 minority caucus.

16 (4) If sufficient appropriations are provided, the education
17 ombuds shall delegate and certify regional education ombuds. The
18 education ombuds shall ensure that the regional ombuds selected are
19 appropriate to the community in which they serve and hold the same
20 qualifications as in subsection (2)(a) of this section. The
21 education ombuds may not contract with the superintendent of public
22 instruction, or any school, school district, or current employee of
23 a school, school district, or the office of the superintendent of
24 public instruction for the provision of regional ombuds services.

25 (5)(a) Subject to the availability of amounts appropriated for
26 this specific purpose, the education ombuds shall delegate and
27 certify at least one special education ombuds to serve each
28 educational service district region. The education ombuds shall
29 ensure that the selected special education ombuds are appropriate to
30 the community in which they serve and hold the same qualifications
31 as in subsection (2)(a) of this section. The education ombuds may
32 not contract with the superintendent of public instruction, or any
33 school, school district, educational service district, or current
34 employee of a school, school district, educational service district,

1 or the office of the superintendent of public instruction for the
2 provision of special education ombuds services.

3 (b) The special education ombuds must serve as a resource for
4 students eligible for special education services and their parents,
5 including:

6 (i) Advocating on behalf of the student for a free appropriate
7 public education from the public school system that emphasizes
8 special education and related services that are:

9 (A) Provided in the least restrictive environment;

10 (B) Designed to meet the student's unique needs;

11 (C) Appropriately ambitious and reasonably calculated to enable
12 a student to make progress in light of the student's circumstances;
13 and

14 (D) Addressing the student's further education, employment, and
15 independent living goals; and

16 (ii) Assisting students and their parents with individualized
17 education program development, including:

18 (A) Preparing for a meeting to develop or update a student's
19 individualized education program;

20 (B) Attending individualized education program team meetings to
21 help present the parents' concerns, negotiate components that meet
22 the parents' goals and requests, or otherwise assist the parent in
23 understanding and navigating the individualized education program
24 process; and

25 (C) Attending an individualized education program team meeting
26 to assist in writing an appropriate program when a parent opts out
27 or otherwise cannot attend."

28
29 Renumber the remaining sections consecutively and correct any
30 internal references accordingly.

31
32 Correct the title.

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EFFECT: (1) Directs each Educational Service District (ESD), subject to appropriation, to contract for speech language pathologists, audiologists, psychologists, physical therapists, orientation and mobility specialists, occupational therapists, and behavior analysts for the purpose of providing services to local students eligible for special education services.

(2) Requires, subject to appropriation, the Office of the Education Ombuds to delegate and certify at least one special education ombuds to serve each ESD region, and specifies that the services of the special education ombuds include serving as a resource for students eligible for special education services and their parents, as well as assisting students and their parents with individualized education program development.

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