
Education Committee

HB 2130

Brief Description: Extending special education services.

Sponsors: Representatives Pollet, Couture, Reed, Callan, Orwall, Paul, Caldier, Doglio, Reeves and Kloba.

<p style="text-align: center;">Brief Summary of Bill</p> <ul style="list-style-type: none">• Extends the provision of special education and related services to students with disabilities until the end of the school year in which the students turn age 22.

Hearing Date: 1/25/24

Staff: Megan Wargacki (786-7194).

Background:

Special Education.

The state's statutory program of basic education is available to students who are at least 5 years of age and less than 21 years of age at the beginning of the school year. Special education is a component of basic education.

The federal Individuals with Disabilities Education Act (IDEA) governs how states and public elementary and secondary schools (public schools) provide special education and related services to children and youth with disabilities.

In Washington, the Superintendent of Public Instruction is responsible for ensuring that the state and its public schools comply with requirements of the IDEA, and other federal and state special education laws.

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

With some exceptions, a state receiving federal funding under the IDEA must provide a free appropriate public education (FAPE) to children and youth with disabilities between their third and twenty-second birthdays. Under the IDEA, a state is not required to provide a FAPE to youth with disabilities ages 18 through 21 if doing so would be inconsistent with state law or practice for the provision of public education to youth in that age range.

Under Washington law, students with disabilities must be provided a FAPE between the ages of 3 and 21. When a student's twenty-first birthday occurs during the school year, state statute permits continued provision of FAPE until the end of the school year; while a rule of the Superintendent of Public Instruction requires the provision of FAPE until the end of the school year in which the student turns age 21.

Notice to Educational Service Districts.

Each school district is required to report to its educational service district the names of all visually or hearing-impaired residents between the ages of 3 and 21.

State Schools for People with Vision or Hearing Disabilities.

The State School for the Blind and the Center for Childhood Deafness and Hearing Loss provide free educational services to residents between the ages of 3 and 21, who are blind/visually impaired or deaf/hearing impaired, or with disabilities where a vision or hearing disability is the major need for services.

Transition Service Interagency Agreements.

Multiple state agencies provide services to people with disabilities. These agencies include the Office of the Superintendent of Public Instruction, State School for the Blind, the Center for Childhood Deafness and Hearing Loss, the Department of Social and Health Services, and the Department of Services for the Blind.

Interagency agreements must be established to foster effective collaboration among the agencies providing transition services for students eligible for special education services from the beginning of transition planning, as soon as educationally and developmentally appropriate, through age 21 or high school graduation, whichever occurs first.

Summary of Bill:

Special education and related services for students with disabilities must be provided to the end of the school year in which a student with disabilities turns age 22, or high school graduation, whichever occurs first.

Education-related provisions applicable to students under age 21 are extended to students with disabilities to the end of the school year in which the students turn age 22, for example:

- provisions related to student enrollment in a nonresident school district;
- the requirement for each school district to report to its educational service district the

- names of certain visually or hearing-impaired residents;
- free admission to the State School for the Blind and the Center for Childhood Deafness and Hearing Loss; and
- provisions related to interagency agreements for high school transition services.

Appropriation: None.

Fiscal Note: Requested on January 17, 2024.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.