
SENATE BILL 5262

State of Washington

66th Legislature

2019 Regular Session

By Senators Zeiger and Wellman

1 AN ACT Relating to special education; amending RCW 28A.155.090;
2 adding a new section to chapter 28A.320 RCW; adding a new section to
3 chapter 28A.155 RCW; and adding a new section to chapter 28A.300 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
6 RCW to read as follows:

7 (1) Each school district must post on its web site a plain
8 language description of each of the special education service
9 delivery models either implemented or contracted for by the school
10 district.

11 (2) At least ten days prior to any meeting regarding the
12 student's individualized education program, a school district must
13 provide:

14 (a) The descriptions in subsection (1) of this section in writing
15 to the parents or guardian of the student; and

16 (b) The simple written handout provided by the superintendent of
17 public instruction under section 4 of this act with questions for the
18 student's parent or guardian to consider prior to the meeting.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.155
20 RCW to read as follows:

1 The definitions in this section apply throughout this act unless
2 the context clearly requires otherwise.

3 (1) "Eligible child" means a child with a disability who through
4 an evaluation is determined eligible for special education and
5 related services due to the disability.

6 (2) "Individualized education program" means a written statement
7 for an eligible child with a disability that includes measurable
8 goals for the child, and any special education, related services, and
9 supplementary aids to be provided for the child.

10 **Sec. 3.** RCW 28A.155.090 and 2007 c 115 s 11 are each amended to
11 read as follows:

12 The superintendent of public instruction shall have the duty and
13 authority, through the administrative section or unit for the
14 education of eligible children with disabling conditions, to:

15 (1) Assist school districts in the formation of programs to meet
16 the needs of children with disabilities;

17 (2) Develop interdistrict cooperation programs for children with
18 disabilities as authorized in RCW 28A.225.250;

19 (3) Post on the office of the superintendent of public
20 instruction's web site and provide, in writing, upon request, to
21 parents or guardians of children with disabilities, (~~information as to~~)
22 a plain language description of each of the special education
23 (~~programs~~) service delivery models for eligible students with
24 disabilities offered within the state;

25 (4) Assist, upon request, the parent or guardian of any child
26 with disabilities in the placement of any child with disabilities who
27 is eligible for but not receiving special educational services for
28 children with disabilities;

29 (5) Approve school district and agency programs as being eligible
30 for special excess cost financial aid to students with disabilities;

31 (6) Consistent with the provisions of RCW 28A.150.390,
32 28A.160.030, and 28A.155.010 through 28A.155.160, and part B of the
33 federal individuals with disabilities education improvement act,
34 administer administrative hearings and other procedures to ensure
35 procedural safeguards of children with disabilities; (~~and~~)

36 (7) Promulgate (~~such~~) rules (~~as are~~) necessary to: Implement
37 part B of the federal individuals with disabilities education
38 (~~improvement~~) act (~~or~~), other federal law providing for special
39 education services for children with disabilities, and (~~the several~~

1 ~~provisions of~~) RCW 28A.150.390, 28A.160.030, and 28A.155.010 through
2 28A.155.160; and ~~((to))~~ ensure appropriate access to and
3 participation in the general education curriculum, and participation
4 in the statewide assessments for all students with disabilities; and
5 (8) Implement the duties assigned under section 4 of this act.

6 NEW SECTION. Sec. 4. A new section is added to chapter 28A.300
7 RCW to read as follows:

8 In addition to the duties of the superintendent of public
9 instruction regarding eligible children with disabilities under RCW
10 28A.155.090, the superintendent must do all of the following:

11 (1) Provide school districts a simple written handout that
12 districts must share with all parents or guardians at least ten days
13 prior to an individualized education program meeting. The handout
14 must include, at a minimum, all the following questions for the
15 parent or guardian to consider prior to the meeting:

16 (a) How do you think your child is doing academically and
17 socially? What are your observations and concerns about what you are
18 seeing?

19 (b) What works at home? Which in-school strengths does your child
20 show? Which homework strategies or technology help your child the
21 most?

22 (c) What are your child's successes and strengths in activities
23 outside of school? Which activities does he or she find interesting?
24 How does he or she benefit from them?

25 (d) How does your child act at home? Is it the same or different
26 at school?

27 (e) How does your child feel about school and learning? What
28 brings feelings of success or failure? Do you hear self-confidence or
29 frustration?

30 (f) Does your child have interests and goals for after high
31 school?

32 (2) Provide school individualized education program teams with a
33 simple handout of information that must be addressed at the
34 individualized education program meeting.

35 (a) How does everyone at the meeting know or work with the child
36 of the parent or the ward of the guardian?

37 (b) Explain in plain language the purpose of each test used to
38 assess the child and why the tests were the right ones to use.

1 (c) How is the child different or similar to other kids in the
2 classroom?

3 (d) What can the parent or guardian do at home to support the
4 individualized education program goals?

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