

2012 -- H 7739 SUBSTITUTE A AS AMENDED

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LC01731/SUB A
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION -- CHILDREN WITH DISABILITIES

Introduced By: Representatives McNamara, Handy, Bennett, Hull, and Savage

Date Introduced: February 16, 2012

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-24-18 of the General Laws in Chapter 16-24 entitled "Children
2 with Disabilities" is hereby amended to read as follows:

3 **16-24-18. Transition from school to self-sufficient adulthood for students with**
4 **disabilities.** -- (a) There is established within the department of elementary and secondary
5 education an interagency transition council (the "transition council") composed of:

6 (1) The administrators or their designees of the following:

7 (i) Department of human services -- office of rehabilitation services;

8 (ii) Department of ~~mental health, retardation~~ behavioral healthcare, developmental
9 disabilities and hospitals -- division of developmental disabilities;

10 (iii) Department of ~~mental health, retardation~~ behavioral healthcare, developmental
11 disabilities and hospitals -- division of ~~mental health~~ behavioral healthcare;

12 (iv) Department of children, youth, and families; ~~mental health services~~;

13 (v) Department of elementary and secondary education -- ~~special education~~ office of
14 student, community and academic supports;

15 (vi) Department of elementary and secondary education -- ~~vocational~~ office of adult and
16 career and technical education;

17 (vii) Department of labor and training -- human resource investment council;

18 (viii) Department of health -- division of community, family health, and equity; and

19 (2) Commissioner of higher education or his or her designee; and

1 (3) Two (2) young persons with disabilities, two (2) parents of young persons with
2 disabilities, and two (2) representatives of local school districts and one transition coordinator
3 from one of the regional educational collaboratives, appointed by the ~~governor~~ commissioner of
4 elementary and secondary education.

5 (4) One representative of community-based providers of services to adults with
6 developmental disabilities and one representative of community-based providers of adult
7 behavioral healthcare services, appointed by the director of the department of behavioral
8 healthcare, developmental disabilities and hospitals.

9 (b) The goal of the transition council is to ensure the preparedness of students with
10 disabilities, upon leaving school, to live and work in the community.

11 (c) The transition council shall draft and propose periodic revisions to the cooperative
12 agreement among the state departments and offices for the provisions of services in the transition
13 of young persons with disabilities from school to self-sufficient adult life. The directors of the
14 state departments and agencies shall sign the cooperative agreement and any revisions, prior to
15 their implementation. The transition council shall oversee the implementation of the cooperative
16 agreement. The council shall issue guidelines or instructions and recommend to the state
17 departments and agencies appropriate directives necessary to effectuate the implementation of the
18 cooperative agreement. The transition council shall develop joint plans for state departments and
19 agencies and local school districts for providing transition services to assist young persons with
20 disabilities. The transition council shall, after hearing from the public, issue an annual report to
21 the governor, children's cabinet, and general assembly on the status of transition services and
22 recommendations for improving opportunities for young persons with disabilities to make a
23 successful transition from school to self-sufficient adult life.

24 (d) Individualized transition planning will be initiated by the school district to include
25 the young person with a disability, guardian, general education and special education personnel as
26 appropriate, ~~vocation~~ career and technical education, and representatives of any party to the
27 delivery and implementation of the individual plan. Transition planning will begin by age ~~sixteen~~
28 ~~(16) and, when~~ fourteen (14) or younger if determined appropriate in the individualized education
29 program, ~~at age fourteen (14) or younger~~ for each eligible young person with a disability and
30 shall be reviewed and updated annually.

31 (e) As used in this section:

32 (1) "Transition services" means a coordinated set of activities for a young person with a
33 disability, designed within an outcome oriented process, that promotes movement from school to
34 post-school activities including postsecondary education, vocational training, integrated

1 employment (including supported employment), continuing and adult education, adult services,
2 independent living, or community participation. The activities shall be based on the needs of the
3 individual young person with a disability, taking into account the young person with a disability's
4 preferences and interests; and shall include needed activities in the areas of:

- 5 (i) Instruction;
- 6 (ii) Community experiences;
- 7 (iii) The development of employment and other post-school adult living objectives; and
- 8 (iv) If appropriate, acquisition of daily living skills and functional vocational evaluation.

9 (2) "Young person(s) with a disability" means those students:

10 (i) Evaluated in accordance with the Individuals with Disabilities Education Act, 20
11 U.S.C. section 1400 et seq., as having mental retardation, hearing impairments including
12 deafness, speech or language impairments, visual impairments including blindness, serious
13 emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health
14 impairments, specific learning disabilities, deaf-blindness, or multiple disabilities; or

15 (ii) Who because of those impairments needs special education and related services, and

16 (iii) Age ~~sixteen (16) and, when~~ fourteen (14) or younger if determined appropriate in
17 the individualized education program, ~~at age fourteen (14) or younger.~~

18 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- CHILDREN WITH DISABILITIES

1 This act would add a representative of community-based providers of services to adults
2 with disabilities and a representative of community-based providers of adult behavioral
3 healthcare to the interagency transition council within the department of elementary and
4 secondary education. This act would also lower from sixteen (16) to fourteen (14) the age for
5 transition planning to be initiated. This act would also make certain technical amendments to
6 department and division titles.

7 This act would take effect upon passage.

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