

2023 -- H 5669

LC001728

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- CHILDREN WITH DISABILITIES

Introduced By: Representatives Casimiro, Noret, Cortvriend, McNamara, Lima, Cotter,
Batista, Donovan, Serpa, and Messier

Date Introduced: February 17, 2023

Referred To: House Education

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 [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby
3 amended to read as follows:

4 **16-24-18. Transition from school to self-sufficient adulthood for students with**
5 **disabilities.**

6 (a) There is established within the department of elementary and secondary education an
7 interagency transition council (the "transition council") composed of:

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

9 (i) Department of human services — office of rehabilitation services;

10 (ii) Department of behavioral healthcare, developmental disabilities and hospitals —
11 division of developmental disabilities;

12 (iii) Department of behavioral healthcare, developmental disabilities and hospitals —
13 division of behavioral healthcare;

14 (iv) Department of children, youth, and families;

15 (v) Department of elementary and secondary education — office of student, community
16 and academic supports;

17 (vi) Department of elementary and secondary education — office of adult and career and
18 technical education;

19 (vii) Department of labor and training — ~~human resource investment council~~ [governor's](#)

1 [workforce board](#);

2 (viii) Department of health — division of community, family health, and equity; and

3 (2) [Postsecondary commissioner](#) ~~Commissioner of higher education~~ or ~~his or her~~ designee;

4 and

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

9 (4) One representative of community-based providers of services to adults with
10 developmental disabilities and one representative of community-based providers of adult
11 behavioral healthcare services, appointed by the director of the department of behavioral
12 healthcare, developmental disabilities and hospitals.

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

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

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

34 (e) As used in this section:

1 (1) "Transition services" means a coordinated set of activities for a young person with a
2 disability, designed within an outcome oriented process, that promotes movement from school to
3 post-school activities including postsecondary education, vocational training, integrated
4 employment (including supported employment), continuing and adult education, adult services,
5 independent living, or community participation. The activities shall be based on the needs of the
6 individual young person with a disability, taking into account the young person with a disability's
7 preferences and interests; and shall include needed activities in the areas of:

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

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

13 (i) Evaluated in accordance with the Individuals with Disabilities Education Act, 20 U.S.C.
14 § 1400 et seq., as having ~~mental retardation, hearing impairments including deafness, speech or~~
15 ~~language impairments, visual impairments including blindness, serious emotional disturbance,~~
16 ~~orthopedic impairments, autism, traumatic brain injury, other health impairments, specific learning~~
17 ~~disabilities, deaf blindness, or multiple disabilities~~ intellectual disabilities, hearing impairments
18 (including deafness), speech or language impairments, visual impairments (including blindness),
19 serious emotional disturbance (referred to in this chapter as "emotional disturbance"), orthopedic
20 impairments, autism, traumatic brain injury, other health impairments, or specific learning
21 disabilities; or

22 (ii) Who, by reason of the evaluation, needs special education and related services, or
23 because of those impairments needs special education and related services, and or

24 (iii) ~~Age fourteen (14) or younger if determined appropriate in the individualized education~~
25 ~~program.~~ Who have a Rehabilitation Act of 1973 as amended Section 504 plan, "29 U.S. Code §
26 794 - Nondiscrimination under federal grants and programs"; or

27 (iv) Age fourteen (14) or younger if determined appropriate.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require transition planning for high school students with disabilities, who
2 have a “504” plan, like the transition planning required for high school students with disabilities,
3 who have an individualized education program (IEP).

4 This act would take effect upon passage.

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