

084694412

## HOUSE JOINT RESOLUTION NO. 88

Offered January 9, 2008

Prefiled January 7, 2008

*Establishing a joint subcommittee to study the transition process from school to work for students with disabilities. Report.*

Patron—Amundson

Referred to Committee on Rules

WHEREAS, the Individuals with Disabilities Education Act (IDEA) was enacted by Congress "to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living"; and

WHEREAS, all students who receive services under IDEA must have a Transition Plan beginning at the age of 16 or younger, if appropriate, as a part of their Individualized Education Plan (IEP); and

WHEREAS, this federal law defines transition services as a coordinated set of activities that are designed to be a results-oriented process, that consider the student's needs, interests, and preferences, and promote movement from school to post-school activities, such as post-secondary education, vocational training, employment, adult services, independent living, and community participation; and

WHEREAS, the IEP team must determine the kinds of instruction, educational experiences, and skills needed by the student that will help him prepare for transition from school to adult life; and

WHEREAS, effective and coordinated transition planning, communication with the student and his parents, and the active participation of special education personnel, school guidance counselor, other appropriate school support personnel, prospective employers, and public and private community agencies in the planning process are essential to ensure a smooth transition for the student; and

WHEREAS, sound transition planning assists the student in becoming an independent and self-affirming adult, and equips him to advocate for himself, act in his best interest, and understand his strengths, limitations, and the challenges that await him; and

WHEREAS, many disabled students continue to require services after transitioning into adult life to enable them to maximize their strengths and enhance their functional independence and social and interpersonal relationships, including supported or sheltered employment, vocational training, job placement, supported living arrangements, behavioral interventions, and mental health, social, speech and communication, and transportation services; and

WHEREAS, the confluence of state and federal laws, including IDEA, No Child Left Behind, and the President's New Freedom Initiative, designed to promote and expand high quality educational opportunities and ensure the academic achievement of all students intersect at crucial points and affect disabled students, raising significant policy issues that require examination; and

WHEREAS, it is important that the transition process for disabled students operates effectively and efficiently, and in compliance with state and federal laws and regulations to assist disabled students in attaining their life goals and functional independence; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the transition process from school to work for students with disabilities. The joint subcommittee shall have a total membership of 11 members that shall consist of eight legislative members, two nonlegislative citizen members, and one ex officio member. Members shall be appointed as follows: five members of the House of Delegates to be appointed by the Speaker of the House of Delegates in accordance with the principles of proportional representation contained in the Rules of the House of Delegates; three members of the Senate to be appointed by the Senate Committee on Rules; one nonlegislative citizen member who shall represent the parents of disabled students at the age of transition to be appointed by the Speaker of the House of Delegates; and one nonlegislative citizen member, who shall represent the Virginia Council of Administrators of Special Education to be appointed by the Senate Committee on Rules. The Superintendent or his designee shall serve ex officio with voting privileges. Nonlegislative citizen members of the joint subcommittee shall be citizens of the Commonwealth of Virginia. Unless otherwise approved in writing by the chairman of the joint subcommittee and the respective Clerk, nonlegislative citizen members shall only be reimbursed for travel originating and ending within the Commonwealth of Virginia for the purpose of attending meetings. If a companion joint resolution of the other chamber is agreed to, written authorization of both Clerks shall be required. The joint subcommittee shall elect a chairman and vice-chairman from among its membership, who shall be members of the General Assembly.

INTRODUCED

HJ88

59 In conducting its study, the joint subcommittee shall examine the transition process from school to  
60 work for students with disabilities, including a review of pertinent state and federal laws and regulations,  
61 and the implementation of the required transition planning elements. The joint subcommittee shall  
62 consider such other related matters and make such recommendations as it deems appropriate, including  
63 cost implications, to ensure an effective and efficient transition process with the complement of needed  
64 post-school services to meet the needs of transition-age disabled students and to facilitate full  
65 compliance with state and federal laws.

66 Administrative staff support shall be provided by the Office of the Clerk of the House of Delegates.  
67 Legal, research, policy analysis, and other services as requested by the joint subcommittee shall be  
68 provided by the Division of Legislative Services. Technical assistance shall be provided by the  
69 Department of Education. All agencies of the Commonwealth shall provide assistance to the joint  
70 subcommittee for this study, upon request.

71 The joint subcommittee shall be limited to four meetings for the 2008 interim, and the direct costs of  
72 this study shall not exceed \$ 8,800 without approval as set out in this resolution. Approval for  
73 unbudgeted nonmember-related expenses shall require the written authorization of the chairman of the  
74 joint subcommittee and the respective Clerk. If a companion joint resolution of the other chamber is  
75 agreed to, written authorization of both Clerks shall be required.

76 No recommendation of the joint subcommittee shall be adopted if a majority of the House members  
77 or a majority of the Senate members appointed to the joint subcommittee (i) vote against the  
78 recommendation and (ii) vote for the recommendation to fail notwithstanding the majority vote of the  
79 joint subcommittee.

80 The joint subcommittee shall complete its meetings by November 30, 2008, and the chairman shall  
81 submit to the Division of Legislative Automated Systems an executive summary of its findings and  
82 recommendations no later than the first day of the 2009 Regular Session of the General Assembly. The  
83 executive summary shall state whether the joint subcommittee intends to submit to the General  
84 Assembly and the Governor a report of its findings and recommendations for publication as a House or  
85 Senate document. The executive summary and the report shall be submitted as provided in the  
86 procedures of the Division of Legislative Automated Systems for the processing of legislative documents  
87 and reports and shall be posted on the General Assembly's website.

88 Implementation of this resolution is subject to subsequent approval and certification by the Joint  
89 Rules Committee. The Committee may approve or disapprove expenditures for this study, extend or  
90 delay the period for the conduct of the study, or authorize additional meetings during the 2008 interim.