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By: **Chairman, Ways and Means Committee (By Request - Departmental - Education)**

Introduced and read first time: February 12, 2004

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Transitioning Students with Disabilities**

3 FOR the purpose of requiring that certain counselors be assigned as liaisons to  
4 certain schools; requiring that certain students have certain plans by a certain  
5 time frame; requiring certain agreements with county boards of education; and  
6 generally relating to education and to transitioning students with disabilities.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 21-305  
10 Annotated Code of Maryland  
11 (2001 Replacement Volume and 2003 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Education**

15 21-305.

16 (a) (1) In this section the following words have the meanings indicated.

17 (2) ["Plan" means the Interagency State Plan for Transitioning Students  
18 with Disabilities.] "DIVISION" MEANS THE DIVISION OF REHABILITATION SERVICES  
19 WITHIN THE MARYLAND STATE DEPARTMENT OF EDUCATION.

20 (3) "Transition services" means a coordinated set of activities for a  
21 student with a disability who meets the definition of a transitioning student that  
22 promotes movement from school to postschool activities, including postsecondary  
23 education, vocational training, integrated employment, supported employment, adult  
24 services, independent living, and community participation.

25 (4) "Transitioning student" means a student with a disability who is  
26 between the ages of 14 and 21 years who meets the eligibility criteria of the federal  
27 Individuals with Disabilities Education Act or § 7 of the federal Rehabilitation Act.

1 (b) [There is an Interagency State Plan for Transitioning Students with  
2 Disabilities that is within the Division of Rehabilitation Services of the Department.

3 (c) The Plan involves the collaborative efforts of the following units of State  
4 government:

5 (1) Within the Department:

6 (i) The Division of Special Education;

7 (ii) The Division of Rehabilitation Services; and

8 (iii) The Division of Career Technology and Adult Learning;

9 (2) Within the Department of Health and Mental Hygiene:

10 (i) The Developmental Disabilities Administration;

11 (ii) The Mental Hygiene Administration; and

12 (iii) The other relevant divisions;

13 (3) The Department of Labor, Licensing, and Regulation; and

14 (4) The Governor's Office for Individuals with Disabilities.

15 (d) The purpose of the Plan is to undertake changes in the structure, quality,  
16 and availability of transition services available to transitioning students that will  
17 effect broad improvement in the quality and delivery of the services.

18 (e) The Plan shall identify:

19 (1) A statewide assessment to identify the number, geographic location,  
20 and needs of transitioning students in the State;

21 (2) Methods for interagency collaboration at the State and local levels,  
22 including outreach and cooperative efforts with employers and community  
23 organizations that provide services for transitioning students;

24 (3) Methods to coordinate with school for success system reform efforts;

25 (4) Projections regarding the potential fiscal impact on the State if  
26 services are phased in over 3 years as follows:

27 (i) In fiscal year 1997, for transitioning students with  
28 developmental disabilities who leave school at age 18 and older;

29 (ii) In fiscal year 1998, for transitioning students who leave school  
30 at age 18 and older who may require extended services through the Mental Hygiene  
31 and Developmental Disabilities Administrations of the Department of Health and  
32 Mental Hygiene; and

1 (iii) In fiscal year 1999, for all transitioning students at the time  
2 they leave school;

3 (5) State, local, and federal funding sources that would be needed to  
4 finance transition services;

5 (6) A coordinated management system that focuses on the effective  
6 delivery of transition services;

7 (7) Methods to ensure that transitioning students and families receive  
8 training and support to become informed and active participants;

9 (8) Models for replication on the local level;

10 (9) Statewide systems to provide training and technical assistance on  
11 best practices to the range of professionals who are critical to the effective transition  
12 to the community of students with disabilities; and

13 (10) Interagency policies and initiatives needed to implement the Plan.]

14 THE DIVISION SHALL:

15 (1) ASSIGN A REHABILITATION COUNSELOR AS A LIAISON TO EACH  
16 MARYLAND PUBLIC HIGH SCHOOL;

17 (2) ESTABLISH A COOPERATIVE AGREEMENT WITH EACH COUNTY  
18 BOARD DEFINING ROLES, RESPONSIBILITIES, AND PROCEDURES IN ORDER TO  
19 PROVIDE APPROPRIATE TRANSITION SERVICES FOR STUDENTS WITH DISABILITIES;  
20 AND

21 (3) DEVELOP, IN CONSULTATION WITH COUNTY BOARDS, FOR EACH  
22 STUDENT WITH A DISABILITY SERVED UNDER THE INDIVIDUALS WITH DISABILITIES  
23 EDUCATION ACT WHO IS DETERMINED ELIGIBLE FOR REHABILITATION SERVICES,  
24 AN INDIVIDUALIZED PLAN FOR EMPLOYMENT PRIOR TO GRADUATION.

25 [(f)] (C) (1) Each county board shall transmit to the Department  
26 information relating to the postsecondary anticipated services of the county's  
27 students with disabilities between the ages of 14 and 21. The information shall be  
28 reported in the manner required by the Department.

29 (2) The Department shall aggregate the information provided under  
30 paragraph (1) of this subsection and forward the information annually to:

31 (i) The Mental Hygiene Administration of the Department of  
32 Health and Mental Hygiene;

33 (ii) The Developmental Disabilities Administration of the  
34 Department of Health and Mental Hygiene; and

35 (iii) Other appropriate State adult services agencies, as determined  
36 by the Department.

- 1           (3)     The information under this section shall include, for each student:
- 2                   (i)     The student's current age;
- 3                   (ii)    The projected year of exit of the student from school;
- 4                   (iii)  Anticipated needs of the student;
- 5                   (iv)   The student's county of residence; and
- 6                   (v)    Any other information that the Department considers
- 7 appropriate.

8     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

9 July 1, 2004.