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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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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 23, 2004

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CHAPTER \_\_\_\_\_

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~~  
6 repealing the Interagency State Plan for Transitioning Students with  
7 Disabilities; requiring the Division of Rehabilitation Services in the Maryland  
8 State Department of Education to assign certain counselors to certain high  
9 schools, establish certain agreements with each county board, and develop, in  
10 consultation with county boards, certain plans for certain transitioning students  
11 by a certain date; making certain technical changes; defining a certain term;  
12 ~~and generally relating to education and to~~ transitioning students with  
13 disabilities.

14 BY repealing and reenacting, with amendments,  
15 Article - Education  
16 Section 21-305  
17 Annotated Code of Maryland  
18 (2001 Replacement Volume and 2003 Supplement)

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

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**Article - Education**

2 21-305.

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

4 (2) ["Plan" means the Interagency State Plan for Transitioning Students  
5 with Disabilities.] "DIVISION" MEANS THE DIVISION OF REHABILITATION SERVICES  
6 WITHIN THE MARYLAND STATE DEPARTMENT OF EDUCATION.7 (3) "Transition services" means a coordinated set of activities for a  
8 student with a disability who meets the definition of a transitioning student that  
9 promotes movement from school to postschool activities, including postsecondary  
10 education, vocational training, integrated employment, supported employment, adult  
11 services, independent living, and community participation.12 (4) "Transitioning student" means a student with a disability who is  
13 between the ages of 14 and 21 years who meets the eligibility criteria of the federal  
14 Individuals with Disabilities Education Act or § 7 of the federal Rehabilitation Act.15 (b) [There is an Interagency State Plan for Transitioning Students with  
16 Disabilities that is within the Division of Rehabilitation Services of the Department.17 (c) The Plan involves the collaborative efforts of the following units of State  
18 government:

19 (1) Within the Department:

20 (i) The Division of Special Education;

21 (ii) The Division of Rehabilitation Services; and

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

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

24 (i) The Developmental Disabilities Administration;

25 (ii) The Mental Hygiene Administration; and

26 (iii) The other relevant divisions;

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

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

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

32 (e) The Plan shall identify:

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

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

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

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

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

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

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

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

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

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

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

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

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

28 THE DIVISION SHALL:

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

31 (2) ESTABLISH A COOPERATIVE AGREEMENT WITH EACH COUNTY  
32 BOARD DEFINING ROLES, RESPONSIBILITIES, AND PROCEDURES IN ORDER TO  
33 PROVIDE APPROPRIATE TRANSITION SERVICES FOR ~~STUDENTS WITH DISABILITIES~~ A  
34 TRANSITIONING STUDENT; AND

1           (3)       DEVELOP, IN CONSULTATION WITH COUNTY BOARDS, FOR EACH  
2 ~~STUDENT WITH A DISABILITY SERVED UNDER THE INDIVIDUALS WITH DISABILITIES~~  
3 ~~EDUCATION ACT~~ TRANSITIONING STUDENT WHO IS DETERMINED ELIGIBLE FOR  
4 REHABILITATION SERVICES, AN INDIVIDUALIZED PLAN FOR EMPLOYMENT PRIOR TO  
5 GRADUATION.

6       [(f)]   (C)   (1)       Each county board shall transmit to the Department  
7 information relating to the postsecondary anticipated services of the county's  
8 ~~students with disabilities between the ages of 14 and 21~~ TRANSITIONING STUDENTS.  
9 The information shall be reported in the manner required by the Department.

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

12                   (i)       The Mental Hygiene Administration of the Department of  
13 Health and Mental Hygiene;

14                   (ii)       The Developmental Disabilities Administration of the  
15 Department of Health and Mental Hygiene; and

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

18           (3)       The information under this section shall include, for each  
19 TRANSITIONING student:

20                   (i)       The student's current age;

21                   (ii)       The projected year of exit of the student from school;

22                   (iii)       Anticipated needs of the student;

23                   (iv)       The student's county of residence; and

24                   (v)       Any other information that the Department considers  
25 appropriate.

26       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 July 1, 2004.