

HB 173

2021

1                   A bill to be entitled  
2           An act relating to individual education plan  
3           requirements for students with disabilities; amending  
4           s. 1003.5716, F.S.; revising the timeline for the  
5           development and implementation of an individual  
6           education plan (IEP) for transition services for a  
7           student with disabilities to a postsecondary education  
8           and career opportunities; revising the requirements  
9           for an IEP for the transitions to a postsecondary  
10          education and career opportunities; requiring the  
11          parents of students with disabilities to provide a  
12          written notice relating to the deferment of a standard  
13          high school diploma by a specified date; conforming  
14          provisions to changes made by the act; requiring the  
15          Department of Education to conduct a review of  
16          specified services and programs; requiring the  
17          department to establish and publish on its website  
18          uniform best practices for such services and programs  
19          by a specified date; providing an effective date.

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21   Be It Enacted by the Legislature of the State of Florida:

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23           Section 1. Subsections (1) and (2) of section 1003.5716,  
24   Florida Statutes, are amended to read:  
25           1003.5716 Transition to postsecondary education and career

26 | opportunities.—All students with disabilities who are 3 years of  
 27 | age to 21 years of age have the right to a free, appropriate  
 28 | public education. As used in this section, the term "IEP" means  
 29 | individual education plan.

30 |       (1) To ensure quality planning for a successful transition  
 31 | of a student with a disability to postsecondary education and  
 32 | career opportunities, during the student's seventh grade year,  
 33 | an IEP team shall begin the process of, and develop an IEP for,  
 34 | identifying the need for transition services before the student  
 35 | with a disability enters high school ~~attains the age of 14 years~~  
 36 | in order for his or her postsecondary goals and career goals to  
 37 | be identified. The plan must be operational and in place to  
 38 | begin implementation on the first day of the student's first  
 39 | year in high school or when he or she attains the age of 16  
 40 | years, whichever occurs first. This process must include, but is  
 41 | not limited to:

42 |       (a) Consideration of the student's need for instruction in  
 43 | the area of self-determination and self-advocacy to assist the  
 44 | student's active and effective participation in an IEP meeting;  
 45 | ~~and~~

46 |       (b) Preparation for the student to graduate from high  
 47 | school with a standard high school diploma pursuant to s.  
 48 | 1003.4282 with a Scholar designation unless the parent chooses a  
 49 | Merit designation;~~-~~

50 |       (c) The provision of information to parents and students

51 about the school district's high school-level transition courses  
52 and vocational, career, and collegiate programs available to  
53 students with disabilities and how to access such programs,  
54 including, but not limited to, school-based transition programs;  
55 the Center for Students with Unique Abilities collegiate,  
56 career, and technical courses; and programs and services  
57 provided to youth and adults by the Division of Vocational  
58 Rehabilitation, the Agency for Persons with Disabilities, and  
59 the Division of Blind Services. Applications for Division of  
60 Vocational Rehabilitation services and Agency for Persons with  
61 Disabilities services shall be provided to parents and students  
62 at IEP meetings. An IEP team must also discuss with parents  
63 restrictions on information sharing that come into effect  
64 without the appointment of guardianship upon a student with a  
65 disability turning 18 years of age; and

66 (d) Discussion of the process for a student with a  
67 disability who meets the requirements for a standard high school  
68 diploma to defer the receipt of such diploma pursuant to s.  
69 1003.4282(10)(c). The parent of such student must provide in  
70 writing that he or she understands the process for deferment and  
71 whether his or her student will defer the receipt of such  
72 diploma no later than May 15 of the year his or her student will  
73 graduate.

74 (2) Beginning not later than the first IEP to be in effect  
75 when the student enters the first day of his or her first year

76 | in high school or attains the age of 16, or younger if  
77 | determined appropriate by the parent and the IEP team, the IEP  
78 | must include the following statements that must be updated  
79 | annually:

80 |       (a) A statement of intent to pursue a standard high school  
81 | diploma and a Scholar or Merit designation, pursuant to s.  
82 | 1003.4285, as determined by the parent.

83 |       (b) A statement of intent to receive a standard high  
84 | school diploma before the student attains the age of 22 and a  
85 | description of how the student will fully meet the requirements  
86 | in s. 1003.4282, including, but not limited to, a portfolio  
87 | pursuant to s. 1003.4282(10)(b) which meets the criteria  
88 | specified in State Board of Education rule. The IEP must also  
89 | specify the outcomes and additional benefits expected by the  
90 | parent and the IEP team at the time of the student's graduation.

91 |       (c) A statement of appropriate measurable long-term  
92 | postsecondary education and career goals based upon age-  
93 | appropriate transition assessments related to training,  
94 | education, employment, and, if appropriate, independent living  
95 | skills and the transition services, including preemployment  
96 | transition services and courses of study needed to assist the  
97 | student in reaching those goals.

98 |       Section 2. The Department of Education shall conduct a  
99 | review of existing transition services and programs for students  
100 | with disabilities to establish uniform best practices for such

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101 programs to deliver appropriate employment, pre-employment, and  
102 independent living skills education to students enrolled in such  
103 transition programs. The department must establish and publish  
104 on its website such uniform best practices no later than July 1,  
105 2022.

106 Section 3. This act shall take effect July 1, 2021.