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CS/CS/HB 173

2021 Legislature

1
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 certain
11 information be provided at IEP meetings; revising when
12 a certain statement of intent must be included in the
13 IEP; providing requirements for such statements;
14 requiring a specified party to provide a signed
15 statement relating to the deferment of a standard high
16 school diploma; requiring the Department of Education
17 to conduct a review of specified services and
18 programs; requiring the department to establish and
19 publish on its website uniform best practices for such
20 services and programs by a specified date; providing
21 an effective date.

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23 Be It Enacted by the Legislature of the State of Florida:
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25 Section 1. Subsections (1) and (2) of section 1003.5716,

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26 Florida Statutes, are amended to read:

27 1003.5716 Transition to postsecondary education and career
 28 opportunities.—All students with disabilities who are 3 years of
 29 age to 21 years of age have the right to a free, appropriate
 30 public education. As used in this section, the term "IEP" means
 31 individual education plan.

32 (1) To ensure quality planning for a successful transition
 33 of a student with a disability to postsecondary education and
 34 career opportunities, during the student's seventh grade year or
 35 when the student attains the age of 12, whichever occurs first,
 36 an IEP team shall begin the process of, and develop an IEP for,
 37 identifying the need for transition services before the student
 38 with a disability enters high school or attains the age of 14
 39 years, whichever occurs first, in order for his or her
 40 postsecondary goals and career goals to be identified. The plan
 41 must be operational and in place to begin implementation on the
 42 first day of the student's first year in high school ~~when he or~~
 43 ~~she attains the age of 16 years.~~ This process must include, but
 44 is not limited to:

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

49 (b) Preparation for the student to graduate from high
 50 school with a standard high school diploma pursuant to s.

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51 | 1003.4282 with a Scholar designation unless the parent chooses a
 52 | Merit designation; and

53 | (c) Provision of the information to the student and his or
 54 | her parent of the school district's high school-level transition
 55 | services, career and technical education, and collegiate
 56 | programs available to students with disabilities and how to
 57 | access such programs. Information shall also be provided on
 58 | school-based transition programs and programs and services
 59 | available through Florida's Center for Students with Unique
 60 | Abilities, the Florida Centers for Independent Living, the
 61 | Division of Vocational Rehabilitation, the Agency for Persons
 62 | with Disabilities, and the Division of Blind Services. Referral
 63 | forms, links, and technical support contacts for these services
 64 | must be provided to students and parents at IEP meetings.

65 | (2) Beginning not later than the first IEP to be in effect
 66 | when the student enters high school, attains the age of 14 ~~16~~,
 67 | or when younger if determined appropriate by the parent and the
 68 | IEP team, whichever occurs first, the IEP must include the
 69 | following statements that must be updated annually:

70 | (a) A statement of intent to pursue a standard high school
 71 | diploma and a Scholar or Merit designation, pursuant to s.
 72 | 1003.4285, as determined by the parent.

73 | 1. The statement must document discussion of the process
 74 | for a student with a disability who meets the requirements for a
 75 | standard high school diploma to defer the receipt of such

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76 | diploma pursuant to 1003.4282 (10) (c).

77 | 2. For the IEP in effect at the beginning of the school
78 | year the student is expected to graduate, the statement must
79 | include a signed statement by the parent, guardian, or the
80 | student, if the student has reached the age of majority and
81 | rights have transferred to the student, that he or she
82 | understands the process for deferment and identifying if the
83 | student will defer the receipt of his or her standard high
84 | school diploma.

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

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

100 | Section 2. The Department of Education, in conjunction

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101 with the Project 10: Transition Education Network, shall conduct
102 a review of existing transition services and programs for
103 students with disabilities to establish uniform best practices
104 for such programs to deliver appropriate employment, pre-
105 employment, and independent living skills education to students
106 enrolled in such transition programs. The department must
107 establish and publish on its website such uniform best practices
108 no later than July 1, 2022.

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