



Bill: House File 2497  
Committee: Education  
Date: February 24, 2010  
Ranking Member: Rep. Sweeney  
Staff: Ann McCarthy (1-3015)

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## DE Special Education Statutory Revisions

This Department of Education statutory revisions bill makes technical and non-controversial changes to K-12 special education laws.

The bill clarifies that special education students may be counted for purposes of the Senior Year Plus program if their enrollment in the program is not related to their disability.

Also the bill clarifies an accounting procedure required by the Centers for Medicare and Medicaid Services. Failure to make this change will result in the state needing to repay federal government \$ 6 – 8 million.

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### Summary of Action

The House Education Committee **PASSED** House File 624 (now HF 2497) on February 11, 2010 by a vote of 17-5.

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### Section-by-Section Analysis

*Section 1: Clarifies Age of Eligibility* Clarifies that the special education student is eligible for services through the school year in which the student turns 21 years of age.

*Section 2: Study of Minorities in Special Education* Requires the DE to submit to the legislature copies of all reports provided to the U.S. Department of Education relating to minority students in special education

*Section 3: Child Rights Upon Reaching Majority – Federal* Conforms with federal law which says that the student directs the disclosure of information upon reaching the age of majority.

*Sections 4 and 5: Planning* Consolidates planning verification done by AEAs

*Section 6: Federal Accounting Procedure* Clarifies an accounting procedure required by the Centers for Medicare and Medicaid Services. Failure to make this change will result in the state needing to repay federal government \$ 6 – 8 million.

*Section 7: Senior Year Plus Eligibility* Clarifies the special education students may be counted for purposes of the Senior Year Plus program if their enrollment in the program is not connected with their disability.

*Section 8: State Mandate Language* Necessary due to potential counting of special education student under Senior Year Plus if participation is not related to the student’s disability.

### **Amendment**

*H-8189 by May and Abdul-Samad by Arnold* Adds “gender” to the special education reports that must be forwarded to the legislature.