
SENATE BILL NO. 22—COMMITTEE ON
HUMAN RESOURCES AND EDUCATION

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON
PERSONS WITH DISABILITIES)

PREFILED FEBRUARY 3, 2005

Referred to Committee on Human Resources and Education

SUMMARY—Creates Interagency Advisory Board on Transition Services to study issues related to services for persons with disabilities who are transitioning from secondary school to adult living. (BDR 38-689)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to persons with disabilities; creating the Interagency Advisory Board on Transition Services within the Office of Disability Services of the Department of Human Resources to study matters relating to transition services for persons with disabilities who are transitioning from secondary school to adult living; providing for the prospective expiration of the Advisory Board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law establishes the Office of Disability Services within the
2 Department of Human Resources. The Office provides access to information about
3 available services or programs and administers certain programs that provide
4 services for persons with disabilities. (NRS 426.235)

5 This bill creates an Interagency Advisory Board on Transition Services within
6 the Office of Disability Services to study and report on services for persons with
7 disabilities who are transitioning from secondary school to adult living. The
8 Advisory Board will expire on June 30, 2013.



THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 426 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this act.

Sec. 2. *As used in sections 2 to 11, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3, 4 and 5 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *“Advisory Board” means the Interagency Advisory Board on Transition Services created by section 6 of this act.*

Sec. 4. *“Committee” means the Strategic Plan for People with Disabilities Accountability Committee established by the Director of the Department as required by Executive Order of the Office of the Governor and in response to the long-term strategic plan concerning persons with disabilities developed by the Department pursuant to paragraph (c) of subsection 1 of section 1 of chapter 541, Statutes of Nevada 2001, at page 2705.*

Sec. 5. *“Transition services” means a coordinated set of activities which:*

1. Is designed within a process that is outcome-oriented and which promotes movement of pupils from school to postsecondary activities, including, without limitation, postsecondary education, vocational training, supported employment, integrated employment, continuing and adult education, adult services, independent living and community participation;

2. Is based on the preferences and interests of the pupil, taking into account the pupil's needs;

3. Includes, without limitation:

(a) Instruction;

(b) Related services, including, without limitation, vocational and rehabilitative services;

(c) Community experiences;

(d) The development of employment objectives and other objectives for living as an adult after the completion of school; and

(e) If appropriate, the acquisition of daily living skills and functional vocational evaluation; and

4. Includes an individual plan for employment for a pupil with a disability who is receiving special education services or other related services, if the individual plan for employment is developed:

(a) In coordination with the plan for the individualized education prepared by the school district pursuant to NRS 395.020, including, without limitation, the goals, objectives and services identified in the plan; and



(b) *In accordance with the plans, policies, procedures and terms of an interlocal agreement between the school district of the pupil and the Rehabilitation Division of the Department of Employment, Training and Rehabilitation.*

↳ *The term includes special education if provided as specially designed instruction or related services and if required to assist a pupil with a disability to benefit from special education.*

Sec. 6. *1. The Interagency Advisory Board on Transition Services is hereby created in the Office.*

2. The Advisory Board consists of the following members:

(a) *The Administrator of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation;*

(b) *The Superintendent of Public Instruction;*

(c) *A representative of the Division of Child and Family Services of the Department, appointed by the Administrator of the Division of Child and Family Services;*

(d) *A representative of the Division of Mental Health and Developmental Services of the Department, appointed by the Administrator of the Division of Mental Health and Developmental Services;*

(e) *A member of the Committee, appointed by the Governor;*

(f) *A member of the Governor's Workforce Investment Board of the Department of Employment, Training and Rehabilitation, appointed by the Governor;*

(g) *A representative of the Nevada Disability Advocacy and Law Center, or its successor organization, appointed by the Governor;*

(h) *A representative of the Nevada P.E.P., Inc., or its successor organization, appointed by the Governor;*

(i) *A representative of a community-based organization which provides services to persons with physical, cognitive, sensory and mental health disabilities, appointed by the Governor;*

(j) *A representative of the University and Community College System of Nevada or an entity which provides postsecondary education, vocational training, supported employment services, integrated employment services or continuing and adult education, appointed by the Governor;*

(k) *A representative of a program of education, including, without limitation, a program of special or vocational education, in a school district in a county whose population is 400,000 or more, appointed by the Governor from a list of persons provided to the Governor by the superintendents of schools in such counties;*

(l) *A representative of a program of education, including, without limitation, a program of special or vocational education in a school district in a county whose population is 100,000 or more but less than 400,000, appointed by the Governor from a list of persons provided to the Governor by the superintendents of schools in such counties;*



1 (m) A representative of a program of education, including,
2 without limitation, a program of special or vocational education,
3 in a school district in a county whose population is less than
4 100,000, appointed by the Governor from a list of persons provided
5 to the Governor by the superintendents of schools in such
6 counties;

7 (n) A person with a disability who has transitioned from a
8 secondary school into the workforce, postsecondary education,
9 vocational training, supported employment, integrated
10 employment, continuing or adult education, adult services,
11 independent living or community participation, appointed by the
12 Governor; and

13 (o) A parent of a person with a disability who is not younger
14 than 14 years of age or older than 25 years of age, appointed by
15 the Governor.

16 3. Each member of the Advisory Board who is an officer or
17 employee of the State of Nevada or a local government or agency
18 thereof or a representative of a private entity may designate a
19 representative to serve in his place on the Advisory Board or to
20 replace him at a meeting of the Advisory Board if the person
21 designated has the appropriate knowledge and authority to
22 represent the State of Nevada, local government or agency thereof
23 or private entity, as applicable, and has been approved by the
24 appointing authority.

25 4. Each appointing authority of a member of the Advisory
26 Board shall:

27 (a) Solicit recommendations for the appointment of members
28 to the Advisory Board from the Committee; and

29 (b) Appoint to the Advisory Board persons who represent a
30 broad range of persons with disabilities and entities serving
31 persons with disabilities.

32 Sec. 7. 1. The term of each member is 4 years. A member
33 may be reappointed.

34 2. A vacancy occurring in the membership of the Advisory
35 Board must be filled in the same manner as the original
36 appointment.

37 Sec. 8. 1. The Advisory Board shall:

38 (a) At its first meeting and annually thereafter, elect a
39 Chairman and Vice Chairman from among its voting members;
40 and

41 (b) Meet throughout each year at the times and places
42 specified by a call of the Chairman or a majority of the members
43 of the Advisory Board.

44 2. The Director of the Office or his designee shall act as the
45 nonvoting recording Secretary.

46 3. The Advisory Board shall prescribe regulations for its own
47 management and government.



1 4. A majority of the voting members of the Advisory Board
2 constitutes a quorum for the transaction of business, and a
3 majority of the voting members of a quorum present at any
4 meeting is sufficient for any official action taken by the Advisory
5 Board.

6 **Sec. 9. 1.** Members of the Advisory Board serve without
7 compensation, except that each member of the Advisory Board is
8 entitled, while engaged in the business of the Advisory Board, to
9 receive the per diem allowance and travel expenses provided for
10 state officers and employees generally.

11 2. Each member of the Advisory Board who is an officer or
12 employee of the State of Nevada or a political subdivision of this
13 State must be relieved from his duties without loss of his regular
14 compensation so that he may prepare for and attend meetings of
15 the Advisory Board and perform any work necessary to carry out
16 the duties of the Advisory Board in the most timely manner
17 practicable. A state agency or political subdivision of this State
18 shall not require an officer or employee who is a member of the
19 Advisory Board to make up the time that he is absent from work to
20 carry out his duties as a member of the Advisory Board or to use
21 annual vacation or compensatory time for the absence.

22 **Sec. 10.** The Advisory Board may:

23 1. Study and comment on issues related to transition services
24 for persons with disabilities in this State, including, without
25 limitation:

26 (a) The implementation of recommendations concerning
27 transition services of the Committee and of the Transition Forum
28 Subcommittee of the Governor's Council on Rehabilitation and
29 Employment of People with Disabilities;

30 (b) Programs for the provision of transition services to persons
31 with disabilities in this State;

32 (c) Methods to enhance such programs and to ensure that
33 persons with disabilities are receiving transition services in the
34 most appropriate settings;

35 (d) Federal and state laws concerning transition services for
36 persons with disabilities;

37 (e) The availability of useful information and data relating to
38 transition services as needed for the State of Nevada to make
39 decisions effectively, plan budgets and monitor costs and outcomes
40 of transition services provided to persons with disabilities;

41 (f) Methods to increase the availability of such information
42 and data;

43 (g) Compliance with federal requirements which affect
44 persons who are receiving transition services;

45 (h) The extent to which transition services in this State are
46 provided in compliance with:

47 (1) The Americans with Disabilities Act of 1990, 42 U.S.C.
48 §§ 12101 et seq.; and



1 (2) *The Strategic Plan for People with Disabilities*
2 *developed by the Department pursuant to paragraph (c) of*
3 *subsection 1 of section 1 of chapter 541, Statutes of Nevada 2001,*
4 *at page 2705; and*

5 (i) *Any other matters that, in the determination of the Advisory*
6 *Board, affect persons with disabilities who are receiving transition*
7 *services;*

8 2. *Hold a statewide annual meeting to gather information*
9 *and develop recommendations concerning transition services for*
10 *persons with disabilities; and*

11 3. *Promote the planning, coordination, delivery and*
12 *evaluation of transition services offered by the State or a local*
13 *government or agency thereof or any private entity in this State.*

14 **Sec. 11.** 1. *On or before July 1 of each year, the Advisory*
15 *Board shall submit an annual report concerning the provision of*
16 *transition services to persons with disabilities in this State to:*

17 (a) *The Governor;*

18 (b) *The Legislative Committee on Persons With Disabilities;*

19 (c) *The Committee;*

20 (d) *The Governor's Council on Rehabilitation and*
21 *Employment of People with Disabilities;*

22 (e) *The State Board of Education; and*

23 (f) *The Department of Education for transmittal to persons*
24 *within the Department who are working on issues concerning*
25 *special education.*

26 2. *The annual report must include, without limitation:*

27 (a) *A list of the members of the Advisory Board;*

28 (b) *The dates, agendas and minutes of each of the meetings of*
29 *the Advisory Board;*

30 (c) *Information concerning the activities, findings and*
31 *recommendations of the Advisory Board;*

32 (d) *A status report concerning transition services from:*

33 (1) *The Committee; and*

34 (2) *The Transition Forum Subcommittee of the Governor's*
35 *Council on Rehabilitation and Employment of People with*
36 *Disabilities;*

37 (e) *A summary of the availability and status of transition*
38 *services in this State and the need for transition services in this*
39 *State;*

40 (f) *Recommendations for legislation relating to transition*
41 *services;*

42 (g) *Recommendations to agencies and officers of the Executive*
43 *Branch of the State Government relating to transition services;*
44 *and*



(h) *Recommendations to providers of community-based services who provide services to persons with disabilities relating to transition services.*

Sec. 12. NRS 426.205 is hereby amended to read as follows:

426.205 As used in NRS 426.205 to 426.295, inclusive, *and sections 2 to 11, inclusive, of this act*, unless the context otherwise requires, the words and terms defined in NRS 426.215 and 426.225 have the meanings ascribed to them in those sections.

Sec. 13. Section 11 of this act is hereby amended to read as follows:

Sec. 11. 1. On or before July 1 of each year, the Advisory Board shall submit an annual report concerning the provision of transition services to persons with disabilities in this State to:

(a) The Governor;

(b) The *Director of the* Legislative ~~{Committee on Persons with Disabilities;}~~ *Counsel Bureau for transmittal to the Legislature;*

(c) The Committee;

(d) The Governor's Council on Rehabilitation and Employment of People with Disabilities;

(e) The State Board of Education; and

(f) The Department of Education for transmittal to persons within the Department who are working on issues concerning special education.

2. The annual report must include, without limitation:

(a) A list of the members of the Advisory Board;

(b) The dates, agendas and minutes of each of the meetings of the Advisory Board;

(c) Information concerning the activities, findings and recommendations of the Advisory Board;

(d) A status report concerning transition services from:

(1) The Committee; and

(2) The Transition Forum Subcommittee of the Governor's Council on Rehabilitation and Employment of People with Disabilities;

(e) A summary of the availability and status of transition services in this State and the need for transition services in this State;

(f) Recommendations for legislation relating to transition services;

(g) Recommendations to agencies and officers of the Executive Branch of the State Government relating to transition services; and

(h) Recommendations to providers of community-based services who provide services to persons with disabilities relating to transition services.



- 1 **Sec. 14.** 1. This section and sections 1 to 12, inclusive, of
2 this act become effective upon passage and approval and expire by
3 limitation on June 30, 2013.
4 2. Section 13 of this act becomes effective on July 1, 2007, and
5 expires by limitation on June 30, 2013.

