Extending Special Education Services (C256L25)

Budget Language

29,000 of the general fund—state appropriation for fiscal year 2026 is provided solely for implementation of Substitute Senate Bill No. 5253 (special education to 22).

Proviso Purpose

In response to a class action lawsuit that found Washington state out of compliance with the Invididuals with Disabilities Educations Act (IDEA) requiring special education eligibility to extend until an eligible student's 22nd birthday, the Legislature extended that entitlement for the entire school year in which a student turns 22.

Services Provided

OSPI provided statewide technical assistance through a Question and Answer document, regional professional development, direct information and discussion during office hours. OSPI also engaged in rulemaking, and the final rules, including the reflection of this provision, go into effect November 13, 2026.

Criteria for Receiving Services/Grants

Beneficiaries in the 2025-26 School Year

Number of School Districts: N/A

Number of Schools: N/A

Number of Students: 65 (per 2025-26 Child Count data)

Number of Educators: N/A

Are Federal or Other Funds Contingent on State Funding?

No.

State Funding History

Fiscal Year	Amount Funded	Actual Expenditures
2026	$29,000	$20,891

Programmatic Changes Since Inception (If Any)

For students whose IEP team makes an individualized determination that additional services are necessary, the Legislature extended entitlement to special

education and transition services for the entire school year in which the student turned 22.

Program(s) Evaluation or Major Findings

Data regarding number of students accessing this extended entitlement are still preliminary. Per 2025-26 Special Education Child Count data, 65 students were served during the school year they turned 22. 2026-27 Child Counts data will not be available until early 2027.

Major Challenges Faced by Program(s)

Challenges related to this extension include concerns about 22-year-olds being served on the same high school campus as students between ages 14 and 18. Additionally, school partners and families have raised concerns about delaying access to adult agencies, such as the Developmental Disabilities Administration.

Future Opportunities

There is opportunity for the Legislature to review the recommendations included in the 2026 Update to the Transition Collaborative Summative Report, including opportunities to blend and braid transition services and funding to serve students with intellectual and developmental disabilities as they transition from school to post-school life.

Other Relevant Information

The work of the Transition Collaborative, a statewide, cross-agency partnership across OSPI, the Division of Vocational Rehabilitation, the Department of Services for the Blind, the Developmental Disabilities Administration, along with their respective councils, continues.

Schools/Districts Receiving Assistance

Click here to see a list of all OSPI grant recipients in the 2026 Fiscal Year.

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