HOUSE BILL No. 2745

By Committee on Children and Seniors

AN ACT establishing the Kansas transition bill of rights task force; relating to membership, powers and duties thereof.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) For purposes of this section:

1. "Individualized education program" or "IEP" means the same as defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto;
2. "parent" means:
   A. A natural parent;
   B. an adoptive parent;
   C. a person acting as a parent as defined in K.S.A. 2017 Supp. 72-3122, and amendments thereto;
   D. a legal guardian;
   E. an education advocate for a student with an exceptionality;
   F. a foster parent, unless the student is a child with an exceptionality; or
   G. a student who has reached the age of majority or is an emancipated minor;
3. "student" means any person regularly enrolled in a school district and attending school in such school district or regularly enrolled in a school district and attending school in another school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto;
4. "task force" means the Kansas transition bill of rights task force;
5. "transition-age" means age 14 years through 21 years; and

(b) There is hereby established the Kansas transition bill of rights task force.

1. The task force shall be made up of 23 members appointed as follows:
   A. Five members shall be appointed by the Kansas state board of education. Such members shall include one member from the state board of education; one member from the special education services team; two members who are special educators in the state of Kansas; and one member from the special education advisory council;
(B) one member from the vocational rehabilitation program shall be appointed by the secretary for children and families;

(C) two members shall be appointed by the transition coalition at the University of Kansas;

(D) two members shall be appointed by the Kansas association of special education administrators;

(E) two members shall be appointed by the disability rights center of Kansas, one of whom shall be a current or former transition-age student who received or is receiving special education and related services, or the parent thereof;

(F) two members shall be appointed by families together, inc., one of whom shall be a current or former transition-age student who received or is receiving special education and related services, or the parent thereof;

(G) one member shall be appointed by the Kansas youth empowerment academy. Such appointee shall be a former student who completed a secondary education program and received special education and related services in Kansas;

(H) one member shall be appointed by the self advocate coalition of Kansas and shall be a current or former transition-age student who received or is receiving special education and related services, or the parent thereof;

(I) two members shall be appointed by the Kansas council of developmental disabilities, one of whom shall be a current or former transition-age student who received or is receiving special education and related services, or the parent thereof;

(J) one member shall be appointed by keys for networking who shall be a current or former transition-age student and who received or is receiving special education and related services, or the parent thereof;

(K) two members shall be appointed by the chair of the house committee on children and seniors; and

(L) two members shall be appointed by the chair of the senate committee on education.

(2) Appointing authorities with more than one appointment shall take into consideration appointees who represent a diversity of disabilities and school districts.

(3) Members appointed pursuant to this section shall be appointed on or before August 1, 2018, and shall serve for an initial term of four years.

(c) A member of the task force shall be designated by the state board of education to call an organizational meeting on or before September 1, 2018. At such organizational meeting, members shall select a chairperson and vice-chairperson from the membership of the task force. The task force shall review the duties and timeline of the task force, consider dates for future meetings and the agenda for such meetings.
(d) The task force may meet at any time and at any place within the
state on the call of the chairperson or on the request of a majority of the
task force. Twelve members of the task force shall constitute a quorum. All
actions of the task force shall be by motion adopted by a majority of those
members present when there is a quorum.

(e) If approved by the legislative coordinating council, members of
the task force attending meetings authorized by the task force shall be paid
amounts for expenses, mileage and subsistence as provided in K.S.A. 75-
3223(e), and amendments thereto.

(f) Any vacancy occurring in the membership of the task force shall
be filled in the same manner as the original appointment.

(g) The staff of the office of the revisor of statutes, the legislative
research department and the division of legislative administrative services
shall provide such assistance as may be requested by the task force and
authorized by the legislative coordinating council. Staff from the Kansas
department of education shall assist the task force in developing and
drafting any documents pursuant to this section.

(h) (1) (A) The Kansas transition bill of rights task force shall
develop a written transition bill of rights to educate parents and students
regarding their rights and resources related to transition services for
students receiving special education.

(B) The transition bill of rights shall be a concise, easy to read
document that shall include, but not be limited to, information regarding:

(i) Laws related to transition assessments, goal-setting and provision
of transition services;

(ii) the rights of parents under state and federal special education
laws;

(iii) information and resources relating to individualized education
programs, including but not limited to, transition resources and services;

(iv) glossary of commonly used terms when describing transition
services;

(v) a description of required and optional services provided by state
agencies that can assist with the provision of special education and
transition from school to adult life; and

(vi) contact information for state agencies, service providers and
advocacy organizations that provide information or services that can assist
a student with school to adult life transition.

(C) The department of education shall publish the finalized transition
bill of rights document approved by the task force no later than August 1, 2019, and post such document on the department of education website.

(D) For the school year commencing on July 1, 2019, and each
school year thereafter, the department of education shall annually
distribute to local boards of education of school districts the bill of rights
document developed pursuant to this section. A school district shall be
required to provide such bill of rights to parents of students receiving
special education services at the first IEP meeting of the academic year for
a child receiving special education services. If a parent does not attend the
IEP meeting, the school district shall be responsible for mailing such
information to the parent. The task force shall consider and provide
consultation to the state board of education on how to monitor and enforce
implementation of these requirements.

(2) (A) The task force shall review existing documents published and
distributed by the department of education intended for parent and student
education regarding rights and resources concerning special education and
related services, including, but not limited to, transition services.

(B) The task force shall recommend updates to such documents as
deemed necessary by the task force.

(C) The task force shall produce additional documents to be
published and distributed by the department of education if the task force
deems such additional document as necessary.

(D) Subject to the provisions of subsection (j), updates to existing
documents and any additional documents approved by the task force shall
be published and distributed by the department of education no later than
August 1, 2019.

(3) (A) The task force shall conduct meetings to discuss and review
topics that shall include, but not be limited to:

(i) The history, quality, availability and implementation of transition
services in Kansas; and

(ii) Kansas compliance with implementation of federal laws related to
transition, including, but not limited to, the individuals with disabilities
education act and the workforce innovation and opportunity act.

(B) The task force shall prepare a report on the findings reached at its
meetings. Such report shall include recommendations for legislative
changes. The task force's finalized report shall be submitted to the
governor, state board of education and the legislature on or before January

(4) The transition bill of rights and any other document produced by
the task force shall be designed to guarantee that the right of parents and
students are adequately safeguarded and protected during the provision of
special education and related services, including, but not limited to, transition services. The form, format and number of such created
documents shall be decided by the task force.

(5) Whenever possible, the readability of the transition bill of rights
produced by the task force pursuant to this section shall not exceed a sixth-
grade reading level in order to better ensure the documents are more
universally accessible and understandable to persons with cognitive
HS 2745

(i) The task force shall cease to meet regularly after January 20, 2020, except that the chairperson of the task force shall reconvene the task force biennially to determine if updates to the transition bill of rights or any other documents published and distributed by the department of education are necessary.

(j) The state board of education will make the final determination regarding the official publication of any documents developed by the task force pursuant to this section. The state board of education shall not unreasonably withhold approval for any factually correct documents developed by the task force in this regard. Nothing in this subsection shall be construed to be inconsistent with the provisions of the Kansas open records act.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.