

**HOUSE BILL No. 2745**

By Committee on Children and Seniors

2-9

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

3  
4 *Be it enacted by the Legislature of the State of Kansas:*

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

6 (1) "Individualized education program" or "IEP" means the same as  
7 defined in K.S.A. 2017 Supp. 72-3404, and amendments thereto;

8 (2) "parent" means:

9 (A) A natural parent;

10 (B) an adoptive parent;

11 (C) a person acting as a parent as defined in K.S.A. 2017 Supp. 72-  
12 3122, and amendments thereto;

13 (D) a legal guardian;

14 (E) an education advocate for a student with an exceptionality;

15 (F) a foster parent, unless the student is a child with an  
16 exceptionality; or

17 (G) a student who has reached the age of majority or is an  
18 emancipated minor;

19 (3) "student" means any person regularly enrolled in a school district  
20 and attending school in such school district or regularly enrolled in a  
21 school district and attending school in another school district in  
22 accordance with the provisions of an agreement entered into under  
23 authority of K.S.A. 2017 Supp. 72-13,101, and amendments thereto;

24 (4) "task force" means the Kansas transition bill of rights task force;

25 (5) "transition-age" means age 14 years through 21 years; and

26 (6) "transition services" means the same as defined in 20 U.S.C. §  
27 1401.

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

30 (1) The task force shall be made up of 23 members appointed as  
31 follows:

32 (A) Five members shall be appointed by the Kansas state board of  
33 education. Such members shall include one member from the state board  
34 of education; one member from the special education services team; two  
35 members who are special educators in the state of Kansas; and one  
36 member from the special education advisory council;

1 (B) one member from the vocational rehabilitation program shall be  
2 appointed by the secretary for children and families;

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

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

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

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

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

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

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

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

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

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

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

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

38 (c) A member of the task force shall be designated by the state board  
39 of education to call an organizational meeting on or before September 1,  
40 2018. At such organizational meeting, members shall select a chairperson  
41 and vice-chairperson from the membership of the task force. The task  
42 force shall review the duties and timeline of the task force, consider dates  
43 for future meetings and the agenda for such meetings.

1 (d) The task force may meet at any time and at any place within the  
2 state on the call of the chairperson or on the request of a majority of the  
3 task force. Twelve members of the task force shall constitute a quorum. All  
4 actions of the task force shall be by motion adopted by a majority of those  
5 members present when there is a quorum.

6 (e) If approved by the legislative coordinating council, members of  
7 the task force attending meetings authorized by the task force shall be paid  
8 amounts for expenses, mileage and subsistence as provided in K.S.A. 75-  
9 3223(e), and amendments thereto.

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

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

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

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

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

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

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

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

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

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

38 (C) The department of education shall publish the finalized transition  
39 bill of rights document approved by the task force no later than August 1,  
40 2019, and post such document on the department of education website.

41 (D) For the school year commencing on July 1, 2019, and each  
42 school year thereafter, the department of education shall annually  
43 distribute to local boards of education of school districts the bill of rights

1 document developed pursuant to this section. A school district shall be  
2 required to provide such bill of rights to parents of students receiving  
3 special education services at the first IEP meeting of the academic year for  
4 a child receiving special education services. If a parent does not attend the  
5 IEP meeting, the school district shall be responsible for mailing such  
6 information to the parent. The task force shall consider and provide  
7 consultation to the state board of education on how to monitor and enforce  
8 implementation of these requirements.

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

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

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

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

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

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

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

29 (B) The task force shall prepare a report on the findings reached at its  
30 meetings. Such report shall include recommendations for legislative  
31 changes. The task force's finalized report shall be submitted to the  
32 governor, state board of education and the legislature on or before January  
33 20, 2020.

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

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

1 disabilities.

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

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

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