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**House Children and Seniors Committee
Testimony in Support of HB 2745
February 15, 2018**

Chair Davis and members of the Committee:

My name is Rocky Nichols. I am the Executive Director of the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is the officially designated protection and advocacy system in Kansas. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose sole interest is the protection and enhancement of the legal rights of Kansans with disabilities.

DRC supports HB 2745. As detailed in the survey results we presented to this Committee during DRC's recent informational hearing, in general many parents and students with disabilities are quite confused by the entire topic of school to adult life transition (transition plans in the IEP, transition services, how to advocate for transition services, how to obtain them, who the providers are to better ensure effective transition, etc.). The Employment Systems Change Coalition's survey data DRC provided at that informational hearing clearly showed that much more engagement is needed and transition services and rights need to be more clearly explained and communicated to students and parents alike.

DRC is heartened by the legitimate concerns shown by members of this Committee for school transition issues during our informational briefing. We commend this Committee for your willingness to work on the issue of school to adult life transition, an issue that has needed attention for quite some time. We want to deeply thank Chair Davis and the members this Committee for asking that this bill be introduced and for dedicating precious Committee time to make progress on this critical issue.

Mike Wasmer from Autism Speaks provided an effective summary of HB 2745 in his testimony. Therefore, I will concentrate my comments on some examples of the current materials sponsored by the Kansas State Department of Education (KSDE) which are available to help students and parents understand special education and related services, IEPs (Individualized Education Programs) and transition issues. Under this bill, the transition task force will make recommendations on transition policy, and also develop a “Transition Bill of Rights” and may help improve other documents KSDE and schools provide to parents and students on these issues. I share these KSDE materials not to criticize them. Quite the opposite. These materials are incredibly thorough. As a parent whose now adult child graduated high school with an IEP and transition plan, I utilized these and many other materials to help advocate for my child. However, I served in the Kansas House of Representatives for 11 years. I have worked in the disability policy field for over two decades, and have a Master’s Degree in Public Administration. I speak fluent legalese. I am a proud, self-proclaimed policy wonk. I am used to reviewing and comprehending extremely dense and complex documents (regulations, statutes, policy and procedure manuals, etc.).

However, most busy parents and their high-school aged special needs children do not often have the time or ability to understand complex documents. Currently if you are a parent or student and you wanted to find out about transition issues by the materials available through KSDE, you would most likely turn to the three documents detailed below, with their corresponding Flesch-Kincaid Grade Level reading score noted.

- Parent’s Guide to Special Education in Kansas.
 - 95 pages. Last updated June 2011. (5 of the 9 State Board of Education members listed are no longer in office).
 - Flesch-Kincaid Grade Level reading score = 12th grade (High School Senior).
- Parent’s Rights in Special Education (Procedural Safeguards).
 - 36 pages. Last updated Aug. 2010.
 - Flesch-Kincaid Grade Level reading score = 16th grade (College Senior).
- Chapter 4 of the Kansas Special Education Process Handbook – The Individualized Education Program.
 - 38 pages. Last updated 2011.
 - Flesch-Kincaid Grade Level reading score = 13th grade (College Freshman).

I simply bring these three examples to the Committee because they illustrate that Kansas has indeed put together needed and downright thorough materials for students and parents about IEPs, transition, and these complicated issues. Again, these are materials I have used and benefited from.

However, most parents with sons and daughters with disabilities will confide in you that they don't have time to read things written at a college reading level, let alone documents with so many pages of dense requirements to work through.

That's one point where the Task Force in this bill comes in. The task force is challenged in this bill to, "whenever possible," come up with a transition bill of rights document that is at hopefully no more than a sixth-grade reading level. The end goal is to have a transition bill of rights document written in a manner to make it as universally accessible as possible. This will make the bill of rights document more accessible to students with disabilities and their busy parents.

I have also attached to my testimony a copy of the Connecticut Transition Bill of Rights Document, which is two pages. As you can see, this document summarizes critical transition and special education information in a front and back format.

Finally, I have attached a copy of DRC's Frequently Asked Questions (FAQ) document on transition which is located in our web- and device-based iTransition app. We are a small statewide nonprofit with a limited budget to do documents like this. The DRC FAQ on transition is far from perfect. However, with just a little work, we were able to get this document down to a more accessible middle school reading level (approximately an 8th grade reading level). With a little more work, we believe documents like this could be made even more universally accessible at a 6th grade reading level or lower, as portions of DRC FAQ are written at a that more accessible level.

You can interact with our web-based, free iTransition app by going to www.iTransitionKS.org through any web browser. Or, you can download the device based app for free on the iTunes app store (for Apple) and the Google Play store (for Android). This free app is a cool new way to use a technology students are already using (smart phones and devices) in order to engage students with disabilities in their transition planning. In the app students answer a series of simple questions about what they want, and the app automatically delivers to them via email their individualized input for their transition plan. The student then takes this input to their IEP team meeting (or forwards the email), which starts the transition engagement process of right – by engaging the student from the get go.

DRC Kansas is in high demand to produce tailored versions of this app for other states. DRC has produced or is finalizing similar apps for a total of six states (Wisconsin, North Dakota, South Dakota, West Virginia, Alabama, and the original Kansas DRC app). In fact, the State Department for Public Instruction in Wisconsin has taken the iTransition app DRC developed for them and has officially incorporated it into their post-secondary transition plan (PTP) process. For every transition-aged Wisconsin student with an IEP, the school is required to file a PTP with the state. The Wisconsin version of the iTransition app is fully integrated and aligned into the State of Wisconsin's PTP requirements and best practices. The app is designed so that when Wisconsin schools have students complete the app, the app it gathers key data that the schools must have anyway to complete their PTP with the State. This ensures the State of Wisconsin gets the data it needs while students are engaged in transition planning through a technology they are already using (smart phones and tablets).

Additionally, the Task Force will have the ability under this bill, if it so chooses, to review other special education documents put out by KSDE for students and parents, like the three referenced above, in order to make improvements to those already thorough documents.

Also, in HB 2745 the State Board of Education will make the final determination regarding publication of any task force bill of rights or other special education documents intended for parents and students.

Madame Chairman, thank you for the opportunity to share our testimony. I would gladly stand for questions at the appropriate time.