

V.C.

**CONNECTICUT STATE BOARD OF EDUCATION
Hartford**

TO BE PROPOSED:

May 4, 2016

RESOLVED, That the State Board of Education pursuant to Section 10-76*ll* of the Connecticut General Statutes, approves the Transition Bill of Rights for parents of students receiving special education services, and directs the Commissioner to take the necessary action.

Approved by a vote of _____, this fourth day of May, Two Thousand Sixteen.

Signed: _____
Dianna R. Wentzell, Secretary
State Board of Education

CONNECTICUT STATE BOARD OF EDUCATION
Hartford

TO: State Board of Education

FROM: Dr. Dianna R. Wentzell, Commissioner of Education

DATE: May 4, 2016

SUBJECT: Transition Bill of Rights for Parents of Children Receiving Special Education

Executive Summary

Introduction

In May 2014, the Legislative Program Review and Investigations (PRI) Committee authorized a study to identify the needs of and services available for, individuals with Autism Spectrum Disorder (ASD), focusing on the transition from secondary school completion to young adulthood. The PRI Committee provided a comprehensive report with recommendations to the General Assembly in December 2014. In July 2015, the Connecticut General Assembly passed Public Act 15-209, *An Act Implementing the Recommendations of the Program Review and Investigations Committee Concerning Transitional Services for Youth and Young Adults with Autism Spectrum Disorder*, which is now codified as 10-76ll in the Connecticut General Statutes.

Sec 10-76ll. Bill of rights for parents of children receiving special education services.

(a) As used in this section, “parent” means the parent or guardian of a child requiring special education or the surrogate parent appointed pursuant to section 10-94g or, in the case of a pupil who is an emancipated minor or eighteen years of age or older, the pupil.

(b) On or before July 1, 2015, the State Board of Education shall draft a written bill of rights for parents of children receiving special education services to guarantee that the rights of such parents and children are adequately safeguarded and protected during the provision of special education and related services under chapter 164 of the general statutes. Such bill of rights shall inform parents of: (1) the right to request consideration of the provision of transition services for a child receiving special education services who is eighteen to twenty-one, inclusive, years of age, (2) the right to receive transition resources and materials from the department and the local or regional board of education responsible for such child, (3) the requirement that the local or regional board of education responsible for such child shall create a student success plan for each student enrolled in a public school, beginning in Grade 6, pursuant to subsection (j) of section 10-221a of the general statutes, and (4) the right of such child to receive realistic and specific postgraduation goals as part of such child's individualized education program.

(c) For the school year commencing July 1, 2015, and each school year thereafter, the Department of Education shall annually distribute to local and regional boards of education the written bill of rights for parents of children receiving special education services, which shall be provided to parents at a planning and placement team meeting for a child receiving special education services in Grades 6-12, inclusive.

Background

The Connecticut State Department of Education (CSDE) drafted a *Transition Bill of Rights* in collaboration with the CSDE Transition Taskforce, the Connecticut Transition Community of Practice CORE Team, and the PRI Committee. These stakeholder groups represent a range of district administrators; transition, special education, regular education, and pupil personnel staff; adult service agency personnel; parents; advocacy groups; and students who have been through the transition process. Through consultation and extensive work with the stakeholder group, the “written bill of rights” was developed for parents of children receiving special education services. It details the rights of students with an individualized education program (IEP) to specific transition services beyond high school.

Transition services are defined in the Individuals with Disabilities Education Act (IDEA) as a coordinated set of activities for a child with a disability that:

- is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movements from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment); continuing and adult education, adult services, independent living, or community participation;
- is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and
- includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation.

In accordance with IDEA, these transition services must begin no later than when the child turns 16, (or sometimes younger if determined by the Planning and Placement Team (PPT)) and updated each year.

The Transition Bill of Rights includes both the items required by the general statute as well as additional information regarding secondary transition as recommended by the stakeholder groups. It was designed to assist parents and students in understanding secondary transition and the transition services that may be requested through a PPT. Also included in this document is information about where parents and students may find technical assistance through the CSDE, related publications and federally funded parent and training information provided by the Connecticut Parent Advocacy Center (CPAC), and links to the CSDE’s essential transition guidance documents and tools.

Next Steps

Distribution: Following approval of the *Transition Bill of Rights* by the State Board of Education, it will be translated into Spanish and both versions will be distributed to local and regional boards of education via an Advisory by the Bureau of Special Education (BSE). In order to monitor the effectiveness of the LEA’s compliance with dissemination to parents/guardians of students with disabilities, the BSE has added a required check off box on the IEP document indicating that the *Transition Bill of Rights* was made available, is available on the district’s Web site and the date the parent was notified.

Further, CSDE will monitor distribution through the annual auditing of IEPs, and selected districts will be required to complete the CSDE's Secondary Transition Planning IEP Checklist to ensure that the document is disseminated at least annually at PPTs.

Impact: The BSE will monitor the implementation of transition services through the required federal monitoring of Indicator 14 of Connecticut's State Performance Plan (SPP). This indicator mandates data collection of post-school outcomes for students who had an IEP at the time that they exited their school district (also known as Exiters), by either graduating with a standard diploma or aging out at twenty-one years of age (20 U.S.C. 1416(a)(3)(B)). This data collection will be useful in examining the post-school outcomes for students with disabilities 1) who were enrolled in higher education or enrolled in any other postsecondary education or training program within one year of leaving high school, 2) who participated in competitive employment or in any other type of employment within one year of leaving high school, and 3) who were not engaged in any type of postsecondary education or training or any type of employment within one year of leaving high school.

The Transition Bill of Rights is an additional tool that will be factored into monitoring the impact of the transition services students with disabilities received prior to exiting high school and the actual post-school outcomes for the student.

Recommendation and Justification

The *Transition Bill of Rights* was reviewed by the State Board of Education Legislation and Policy Development Committee members at their April 6, 2016, meeting. The input provided has informed the dissemination strategy and measuring impact.

I recommend that the State Board of Education approve the *Transition Bill of Rights* to enable local and regional boards of education to begin distribution to all parents/guardians of students receiving special education services in Grades 6-12, either at any remaining Annual Review PPTs, or via mail to those parents/guardians who already have had a PPT meeting. If necessary, parents/guardians can request another PPT before the 2015-16 school year ends.

The *Transition Bill of Rights* prompts school personnel to begin the discussion about secondary transition at an earlier age. This critical knowledge will empower parents and students to appropriately plan for life after high school sooner in a student's school career.

Prepared by: Patricia Anderson, Ph.D., Consultant
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Reviewed by: Isabelina Rodriguez, Ed.D., Chief
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Approved by: Charlene Russell-Tucker
Chief Operating Officer



Transition Bill of Rights

For Parents of Students Receiving Special Education Services

A student with an individualized education program (IEP) has certain rights under both federal and state laws. This *Transition Bill of Rights* for parents of students receiving special education will help parents and students understand a student's rights related to getting an education and other important issues regarding the transition to life after high school. School districts will provide this document annually at a planning and placement team (PPT) meeting to all parents, guardians, and surrogate parents of students who are receiving special education services in Grades 6-12 as well as to students who are 18 years of age or older.

Students, parents, guardians, and surrogate parents are important members of the PPT. Parents, guardians, surrogate parents, and students 18 years of age or older have the right to receive a copy of *Procedural Safeguards in Special Education* which explains the rights and responsibilities in the federal law called the Individuals with Disabilities Education Act (IDEA). These procedural safeguards are provided at least annually at a PPT meeting by each school district. This publication describes a student's right to a free and appropriate public education (FAPE) in the least restrictive environment (LRE) through specialized instruction and related services in a student's IEP.

Students with an IEP have a right to:

1. Receive secondary transition services through their IEP starting at least at age 16, or younger if desired and recommended by the student's PPT.
2. Receive appropriate individualized education services through the end of the school year in which they turn 21 OR until graduation with a regular high school diploma. The school year is defined as July 1 through June 30. This decision is typically recommended by a student's PPT.
3. Attend all PPT meetings, including those related to transition planning, to represent their education/training, employment, and independent living interests, preferences, and strengths.
4. Assist in the development of their IEP with accommodations and modifications designed to meet their unique needs.
5. Develop realistic and specific post-school outcome goal statements (PSOGS) that are measurable, based on their individualized needs and interests, and reviewed annually as part of their IEP.
6. Receive secondary transition services and related supports to help them prepare to meet their post-school goals in postsecondary education/training AND employment, and independent living skills if appropriate.
7. Assist in developing annual goals and objectives to include but not be limited to those areas in the *Connecticut CORE Transition Skills*, such as health care, transportation, self-determination, and social skills.
8. Identify, explore, and connect with outside agencies as appropriate, including but not limited to the following adult service agencies: Department of Developmental Services (DDS), Department of Mental Health and Addiction Services (DMHAS), Department of Public Health (DPH), and the Department of Rehabilitation Services (DORS), which includes the Bureau of Education and Services for the Blind (BESB) and Bureau of Rehabilitation Services (BRS) (see *Easing into Secondary Transition*).
9. Be informed on or before their 17th birthday that all parental rights will transition to the student when he or she reaches the age of 18. Under Connecticut law, students may notify the school district (in writing) that their parents, guardian, or surrogate parent shall continue to have the right to make educational decisions with the students when they turn 18.

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10. Request consideration for receiving transition-only services between the ages of 18 and 21 if all transition goals and objectives have not been met during their previous years in high school. The following conditions are required:

- a. Students have met all academic requirements for graduation.
- b. PPT makes the recommendation for transition-only services that must be reviewed at least annually.
- c. Transition-only services must be a coordinated set of individualized activities but do not need to be a specialized “program.”
- d. Transition-only services must provide students with the opportunity to spend at least 80 percent of their time with nondisabled peers.
- e. Students are entitled to participate in graduation activities upon completion of academic requirements or at the conclusion of transition-only services - this is a decision to be made by the student, parents, and/or guardians or surrogate and the PPT.
- f. If students participate in transition-only services, the date on their diploma or certificate will be the date that they exit high school (either aging out at 21 or with a diploma or certificate).

In addition, the following should also be considered:

- g. Transition-only services are typically discussed during the senior year of high school.
- h. Transition-only services are not needed for graduation but may include academic, vocational, and independent living

activities that will help students meet their post-school goals.

- i. Transition-only services should be based in the local community to the greatest extent possible in order to prepare students for life after high school.

11. Actively participate in the development and revision of their [Student Success Plans](#), which are required for all students in grades 6–12 to address career, academic, and social/emotional/behavioral skills to prepare for life after high school.

12. Receive, along with their parents, guardians, and surrogate parent [transition resources](#) and other information regarding IEPs developed by the Connecticut State Department of Education (CSDE) and their school such as:

- *Assistive Technology and Postsecondary Transition*
- *Building A Bridge: A Transition Manual for Students*
- *Connecticut CORE Transition Skills*
- *Connecticut IEP Transition Planning Checklist*
- *Easing into Secondary Transition: A Comprehensive Guide to Resources and Services in CT*
- *Transition Assessment Resource Manual*
- *Stepping Forward: A Self-Advocacy Guide for Middle and High School Students*
- *Student Success Plan Crosswalk*
- *Technology & Transition: Resource Guide to Creating and Sustaining an AT [Assistive Technology] Team at the High School Level*

If students have questions or have a problem asserting any of these rights, they should first speak to their teacher, school case manager, school counselor, and parent/guardian or surrogate parent. If additional help is needed, students (or their parents, guardians, or surrogate parent) have the right to file a complaint, ask for mediation and, if needed, ask for an impartial due process hearing by contacting the CSDE Due Process Unit at 860-713-6928. For more information, download a copy of the publication [Parent’s Guide to Special Education](#) or obtain a copy from the school.

For additional help with transition or special education, call the CSDE at 860-713-6910 or visit <http://www.sde.ct.gov/sde/specialeducation>. For assistance in understanding the provisions of the IDEA, call Connecticut’s federally designated Parent Training and Information Center, the Connecticut Parent Advocacy Center (CPAC) at 800-445-2722, e-mail cpac@cpacinc.org, or visit <http://www.cpacinc.org/>.