Kansas
Special Education Services
Process Handbook

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KANSAS SPECIAL EDUCATION SERVICES PROCESS HANDBOOK

This document was developed by the Kansas State Department of Education, Special Education Services, Topeka, Kansas. The opinions expressed herein do not necessarily reflect the position of the United States Department of Education, and no endorsement of the United States Department of Education should be inferred.

This document is provided as a guide for the provision of special education and related services. If any portion of this document conflicts with law or regulation, the law or regulation takes precedence.

Please contact our department if you have questions about information contained within this handbook:

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STATE IMPOSED RULES, REGULATIONS, AND POLICIES IN KANSAS NOT REQUIRED BY IDEA 2004 OR FEDERAL REGULATIONS

- ✓ The categories of exceptionalities include the category of "gifted." K.S.A. 72-962(g)

- ✓ Exceptional children attending private schools are entitled to a Free Appropriate Public Education through an IEP, upon request. K.S.A. 72-5393 and K.A.R. 91-40-45(c).

- ✓ A school district must obtain written parental consent before making a change of 25% or more of a special education service or before making a change to a more restrictive or less restrictive educational environment for more than 25% of the school day. K.S.A. 72-988(b)(6).

- ✓ Each IEP must include, beginning at age 14, appropriate measurable postsecondary goals and a statement of the transition services needed to assist the student in reaching the postsecondary goals. K.S.A. 72-987(c)(8).

- ✓ The state complaint procedures include the right of a parent to appeal the written decision of the state complaint investigator. K.A.R. 91-40-51(c).

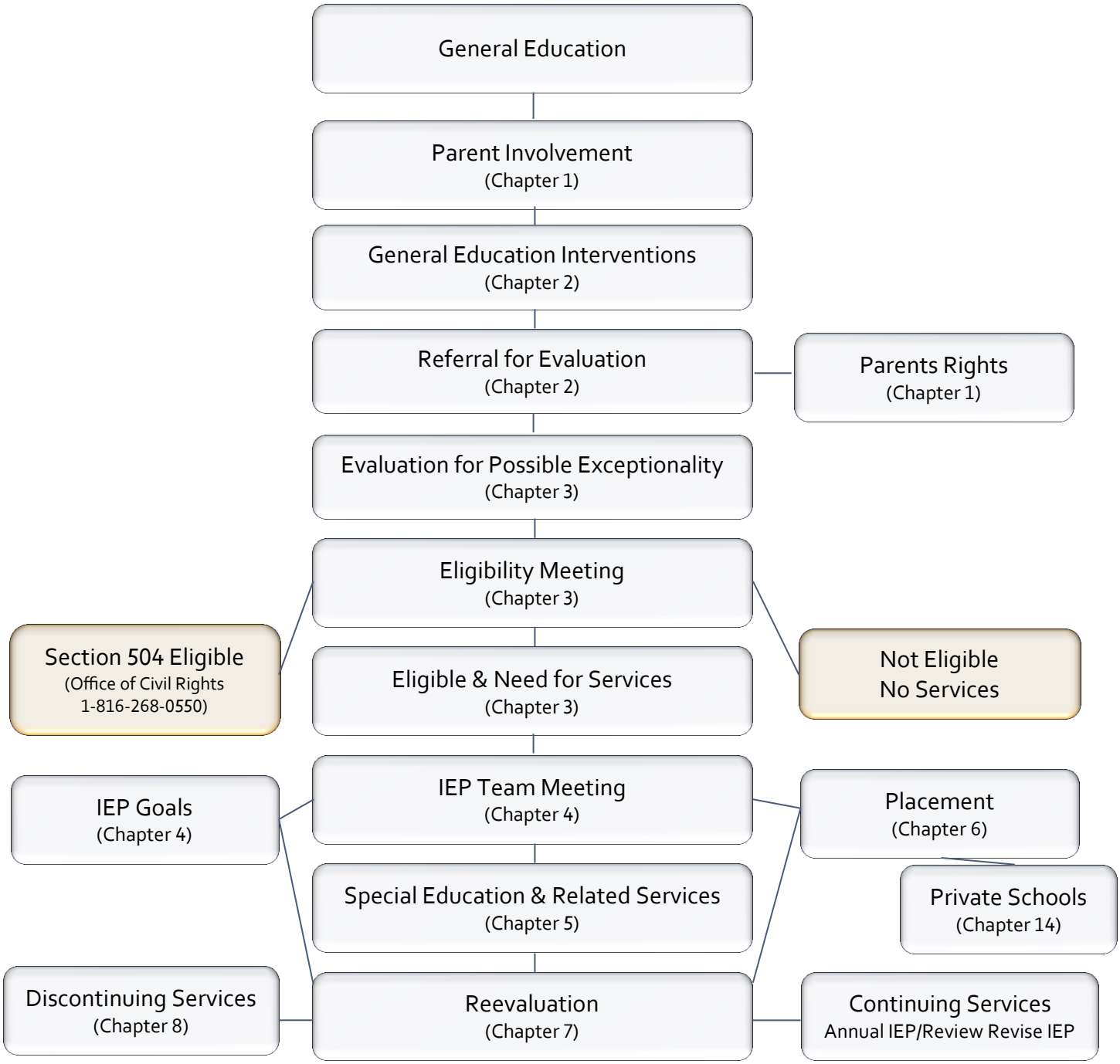
- ✓ A due process hearing officer must be a licensed attorney. K.A.R. 91-40-29(b)(1)(a)

- ✓ General education interventions must be implemented prior to referring a child for a special education evaluation, unless school personnel can demonstrate such interventions are inadequate to address the areas of concern for the child or a parent has consented to an evaluation and the school district agrees that an evaluation is appropriate. K.A.R. 91-40-7(c)(2).

- ✓ A written evaluation report is required after completion of an evaluation with regard to all categories of exceptionality (not just required for learning disabilities). K.A.R. 91-40-10(a).

- ✓ Facilities for exceptional children must be comparable to facilities for general education children and such facilities must provide an age appropriate environment for the exceptional children. K.A.R. 91-40-52(d).

SPECIAL EDUCATION PROCESS FLOW CHART



Special Considerations:

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Due Process	Chapter 11	*Code of Student Conduct and weapons, drugs, or dangerous behavior*	

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