

Kansas Special Education Services Process Handbook



ACKNOWLEDGEMENTS

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Cover, removed June 2011 date as not reflecting updates 8/15/2012

Page ii, acknowledgments corrected 1/10/2012

Page 15, Ch 1, removed reference to Kansas Assessment with Modified Measures (KAMM). 10/21/14

Page 21, Ch 2, added "in most cases" to second paragraph.

Page 24, Ch 2, completed citation of K.A.R. 91-40-7(c)

Page 35, Ch. 3, added K.A.R. 91-40-7(c)(3) 1/12/2012

Page 45, Ch 3, removed sentence regarding MTSS as RtI

Page 53, Ch 3, removed MTSS under number (iii)

Page 56, Ch3 Questions and Answers redone, rest of manual repaginated. 5/10/2013

Pages 80-99, Ch 4, removed references to KAMM. 10/21/14

Pages 83-84, Ch 4, postsecondary employment goals may not be combined with another goal 10/19/12
(wording on Pages 85-87 shifted but not changed)

Pages 92-93, Ch 4, added additional guidance on comparable services for a transfer student 1/29/15
(wording on pages 93-99 shifted but not changed)

Page 98, Ch 4, Procedural Safeguards added as a document required to be in parents native language. 10/4/13

Page 118, Ch. 5, corrected word "improved" to "impeded" in Answer 1(b) 10/3/2013

Page 127, Ch 6, Removed reference to 1994 Least Restrictive Environment KSBE policy. 10/1/13

Page 136, Ch. 7, Consent not needed for graduation, Notice is required when child turns 21 6/7/12

Page 147, Ch 7, Removed December 1st statement, corrected regulation 1/29/13

Page 152, Ch. 8, Sample Summary of Performance form website change 1/4/2013

Page 153, Ch. 8, Prior Written Notice is required when consent is revoked for Special Education Services 11/8/2011

Page 189, Ch. 12, added procedure to ensure that hearing officer orders are implemented.7/2/12

Page 202, Ch. 13, removed reference to seclusion and restraint 10/14/2014

Page 204, Ch. 13, formatting change and adding subheading D, subsequent headings relettered 2/20/2012

Page 207, Ch. 13, revision of third bullet point on page to align with current rulings 3/14/12

Page 218, Ch. 13, removal of Seclusion/Restraint information. ESI regulations cover all students 10/14/2014

Page 218, Ch. 13, removed final sentence of the answer to question 7 3/14/12

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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.

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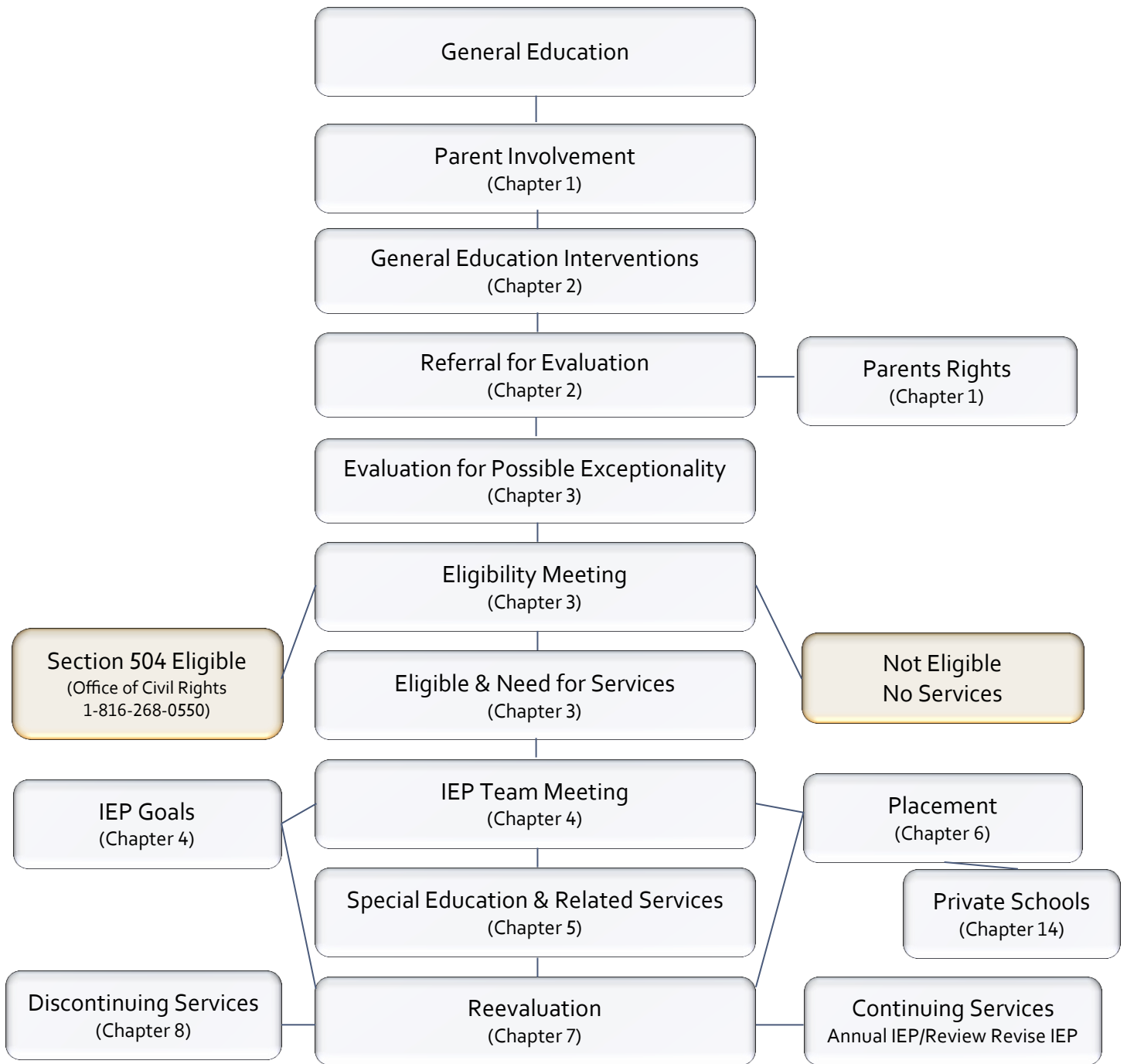
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STATE IMPOSED RULES, REGULATIONS, AND POLICIES IN KANSAS NOT REQUIRED BY IDEA 2004 OR FEDERAL REGULATIONS

- ✓ 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:

Confidentiality	Chapter 9	Formal Complaint	Chapter 12
Mediation	Chapter 10	Suspension/Expulsion	Chapter 13
Due Process	Chapter 11	<i>Code of Student Conduct and weapons, drugs, or dangerous behavior</i>	

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