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. 72-3404(g)

✓ Exceptional children attending private schools are entitled to a Free Appropriate Public Education through an IEP, upon request. K.S.A. 72-3462 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. 72-3430(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. 72-3429(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(f)(1).

✓ 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)(1), (2) and (3).

✓ 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

General Education

Parent Involvement
(Chapter 1)

General Education Interventions
(Chapter 2)

Referral for Evaluation
(Chapter 2)

Evaluation for Possible Exceptionality
(Chapter 3)

Eligibility Meeting
(Chapter 3)

Section 504 Eligible
(Office of Civil Rights 1-816-268-0550)

IEP Goals
(Chapter 4)

Eligible & Need for Services
(Chapter 3)

IEP Team Meeting
(Chapter 4)

Special Education & Related Services
(Chapter 5)

Reevaluation
(Chapter 7)

Discontinuing Services
(Chapter 8)

Parents Rights
(Chapter 1)

Not Eligible
No Services

Placement
(Chapter 6)

Private Schools
(Chapter 14)

Continuing Services
Annual IEP/Review Revise IEP

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