



# SPECIAL EDUCATION ADVISORY COUNCIL MINUTES



## Details

Date April 13, 2023  
Time 9:00 a.m. – 3:00 p.m.  
Location: Zoom

Call to Order: at 9:03 a.m.

### Roll Call

Members (x present, blank absent):

x	Jennifer King	x	Marvin Miller	x	Whitney George
	Heath Peine		Matthew Ramsey	x	Lindsey Graf
	Barney Pontious Parent/Child to 26		Michelle Warner – Foster Care	x	Chris Reffett
x	Brandon Gay		Paul Buck		
x	Jennifer Kucinski		Rebecca Shultz		
	Jennifer Kurth		Sabrina Rishel		Kim-Interpreter
x	Laura Thompson	x	Tobias Wood		Mary -Interpreter
x	Lena Kisner		Trisha Backman		
		x	Dr. Troy Pitsch		

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Ex-Officio Members (x present, blank absent):

x	Jim McNiece	x	Ashley Enz		
x	Leslie Girard-Families Together		Jon Harding	x	Deb Howser (for Jon)
	Mike Burgess	x	Luanne Barron		
	Rocky Nichols				

KSDE Staff:

x	Bert Moore				Kerry Haag
	Shane Carter	x	Kayla Love		Dean Zajic
		x	Brian Dempsey		Josie McClendon
	Cary Rogers		Julie Rand		
	Laurie Curtis	x	Alysha Nichols		

Guests:

Quorum (11) met: Yes, \_\_12\_ Voting members present

Agenda Approval: **April 13, 2023 Agenda**

Motion to approve: Lindsey Graf

Second: Jennifer King

Action: Approved

Minutes Approval: **January 10 & 11, 2023 Minutes**

Motion to approve: as edited Lena Kisner

Second: Marvin Miller

Discussion: Corrections suggested by Lena Kisner-Page 3 on 1/10 → Brooke Moore is a professor at *Fort Hays State University*. Page 7 on 1/10 → Indicator 13 baseline 99.8

Action: Approved

Public Comment:

No written comments were submitted for today's meeting. No in person comments were presented.

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## July Leadership

### Bert Moore and Kayla Love

- Kayla has put the registration information for the July Leadership in the packet. SEAC will meet on Thursday, July 27, 2023. SEAC is now scheduled at the end of the conference instead of the day before as there were so many competing activities. This is an opportunity for SEAC members to have hotel paid and receive the per diem. Please coordinate with Kayla if you would like to attend.
- The conference begins on July 26. If you would like to attend the Special Education or Local Consolidated Plan Quarterlies, they are held on July 25. These are called Quarterlies as we offer four per year. On July 26, the conference begins at 8am and concludes at 4:30pm, and on July 27 the conference begins at 8am and ends at noon, with Special Education Advisory Council and School Mental Health then meeting from 1pm to 4pm. Also, your registration includes breakfast and lunch on the 26th and breakfast and lunch on the 27th.
- You do not have to attend the conference. You do not have to pay the registration fee to come to SEAC on July 27th from 1-4pm. If this is all you wish to attend, KSDE will still pay travel. However, you are given the professional development opportunity to attend the entire event. Below is the link to register for the July Leadership Conference:
- [https://reg.learningstream.com/reg/event\\_page.aspx?ek=0009-0020-d5dbf85d1fed416b843145b39204f6ee](https://reg.learningstream.com/reg/event_page.aspx?ek=0009-0020-d5dbf85d1fed416b843145b39204f6ee)

## SPP/APR

### Brian Dempsey

- This will be a review of the SPP/APR of Federal Fiscal Year (FFY) 2021. These reports are due by February 1 of each year. The report that was reviewed in January is what was submitted. Two changes were made on baselines that SEAC approved, one was Indicator 2 and the other Indicator 17.
- Indicator 1: Graduation
  - Baseline: 84.54%
  - FFY 2021 Data: 81.92%
  - FFY 2022 Target: 81.90%
- Indicator 2: Drop Out
  - Baseline: 16.65%
  - FFY 2021 Data: 16.65%
  - FRY 2022 Target: 16.28%
- Indicator 3: State Assessments for Students with IEP's
  - 3A- Participation for students with IEPs (includes AA students)
    - 4<sup>th</sup> Grade Reading
      - Baseline: 93.05%
      - FFY 2021 Data: 97.66%
      - FFY 2022 Target: 95.00%

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- 8<sup>th</sup> Grade Reading
      - Baseline: 89.14%
      - FFY 2021 Data: 96.81%
      - FFY 2022 Target: 95.00%
    - 10<sup>th</sup> Grade Reading
      - Baseline: 84.38%
      - FFY 2021 Data: 94.37%
      - FFY 2022 Target: 95.00%
    - 4<sup>th</sup> Grade Math
      - Baseline: 93.98%
      - FFY 2021 Data: 97.69%
      - FFY 2022 Target: 95.00%
    - 8<sup>th</sup> Grade Math
      - Baseline: 89.85%
      - FFY 2021 Data: 96.72%
      - FFY 2022 Target: 95.00%
    - 10<sup>th</sup> Grade Math
      - Baseline: 85.23%
      - FFY 2021 Data: 93.92%
      - FFY 2022 Data: 95.00%
  - 3B- Proficiency for students with IEPs (Grade Level Academic Achievement Standards)
    - 4<sup>th</sup> Grade Reading
      - Baseline: 21.45%
      - FFY 2021 Data: 18.38% Slippage
      - FFY 2022 Target: 21.81%
    - 8<sup>th</sup> Grade Reading
      - Baseline: 6.45%
      - FFY 2021 Data: 4.55% Slippage
      - FFY 2022 Target: 6.57%
    - 10<sup>th</sup> Grade Reading
      - Baseline: 6.02%
      - FFY 2021 Data: 4.65% Slippage
      - FFY 2022 Target: 6.22%
    - 4<sup>th</sup> Grade Reading
      - Baseline: 13.16%
      - FFY 2021 Data: 16.35%
      - FFY 2022 Target: 13.31%
    - 8<sup>th</sup> Grade Reading
      - Baseline: 4.76%
      - FFY 2021 Data: 5.02%
      - FFY 2022 Target: 4.90%
    - 10<sup>th</sup> Grade Reading
      - Baseline: 3.32%
      - FFY 2021 Data: 2.92% Slippage

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- FFY 2022 Target: 3.41%
- 3B: Proficiency for Children with IEPs (Grade Level Academic Achievement Standards) Slippage
  - Slippage Reasons for Reading
    - An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption, which affected reading scores for all students
      - The state saw a drop in proficiency for all 4<sup>th</sup> grade students from 2021. When comparing the drop in proficiency for students with no disability (4.23%) to those with disabilities (3.07%), the students with disabilities saw a smaller decrease in proficiency than those with no disability
      - The state saw a drop in proficiency for all 8<sup>th</sup> grade students from 2021. When comparing the drop in proficiency for students with no disability (3.59%) to those with disabilities (1.90%), the students with disabilities saw a smaller decrease in proficiency than those with no disability
      - The state saw a drop in proficiency for all HS students from 2021. When comparing the drop in proficiency for students with no disability (1.70%) to those with disabilities (1.37%), the students with disabilities saw a small decrease in proficiency than those with no disability
  - Slippage reasons for Math (HS)
    - An examination of state-level data for this indicator suggests the slippage may be attributed to a combination of the COVID-19 interruption and the new high school math assessment with new cut scores for 2022
- 3C- Proficiency for students with IEPs (Alternate Academic Achievement Standards Assessment)
  - 4<sup>th</sup> Grade Reading
    - Baseline: 43.91%
    - FFY 2021 Data: 40.00% Slippage
    - FFY 2022 Target: 45.53%
  - 8<sup>th</sup> Grade Reading
    - Baseline: 22.11%
    - FFY 2021 Data: 24.68%
    - FFY 2022 Target: 22.83
  - 10<sup>th</sup> Grade Reading
    - Baseline: 15.89%
    - FFY 2021 Data: 9.70% slippage
    - FFY 2022 Target: 16.82%

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- 4<sup>th</sup> Grade Math
  - Baseline: 19.75%
  - FFY 2021 Data: 17.14% Slippage
  - FFY 2022 Target: 20.26%
- 8<sup>th</sup> Grade Math
  - Baseline: 10.54%
  - FFY 2021 Data: 14.19%
  - FFY 2022 Target: 11.13%
- 10<sup>th</sup> Grade Math
  - Baseline: 14.23%
  - FFY 2021 Data: 13.38%
  - FFY 2022 Target: 14.41%
- Slippage Reasons for Reading
  - An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption, which affected reading scores for all students. The state experienced a drop in proficiency for all 4<sup>th</sup> grade students from 2021
  - An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption, which affected reading scores for all students. The state experienced a drop in proficiency for all high school students from 2021
- Slippage Reasons for Math
  - An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption which affected math scores for all students. The state experienced a drop in proficiency for all 4<sup>th</sup> grade students from 2021
- 3D- Gap in proficiency rates (Grade Level Academic Achievement Standards)
  - 4<sup>th</sup> Grade Reading
    - Baseline: 26.06%
    - FFY 2021 Data: 24.02%
    - FFY 2022 Target: 26.65%
  - 8<sup>th</sup> Grade Reading
    - Baseline: 17.74%
    - FFY 2021 Data: 15.80%
    - FFY 2022 Target: 17.28%
  - 10<sup>th</sup> Grade Reading
    - Baseline: 21.22%
    - FFY 2021 Data: 20.51%
    - FFY 2022 Target: 20.91%
  - 4<sup>th</sup> Grade Math
    - Baseline: 19.25%
    - FFY 2021 Data: 18.58%
    - FFY 2022 Data: 19.07%
  - 8<sup>th</sup> Grade Math
    - Baseline: 15.51%

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- FFY 2021 Data: 15.36%
    - FFY 2022 Target: 15.32%
  - 10<sup>th</sup> Grade Math
    - Baseline: 16.73%
    - FFY 2021 Data: 17.22%
    - FFY 2022 Target: 16.64%
- Indicator 4: Suspensions/Expulsions
  - 4A: Percent of districts that have significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs
    - Baseline: 0.00%
    - FFY 2021 Data: 0.00%
    - FFY 2022 Target: 0.70%
  - 4B: Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards
    - Baseline: 0.00%
    - FFY 2021 Data: 0.00%
    - FFY 2022 Target: 0.00%
- Indicator 5: Education Environment for 5-year-old kindergarten through age 21
  - A. Inside the regular class 80% or more of the day
    - Baseline: 70.25%
    - FFY 2021 Data: 71.30%
    - FFY 2022 Target: 71.00%
  - B. Inside the regular class less than 40% of the day
    - Baseline: 7.04%
    - FFY 2021 Data: 6.57%
    - FFY 2022 Target: 7.00%
  - C. In separate schools, residential facilities, or homebound/hospital placements
    - Baseline: 2.21%
    - FFY 2021 Data: 2.10%
    - FFY 2022 Target: 2.18%
- Indicator 6: Preschool environment
  - A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program
    - Baseline: 40.14%
    - FFY 2021 Data: 43.28%
    - FFY 2022 Target: 39.30%
  - B. Separate special education class, separate school, or residential facility
    - Baseline: 36.96%
    - FFY 2021 Data: 35.34%
    - FFY 2022 Target: 36.84%

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- C. Receiving special education and related services in a home
  - Baseline: 1.98%
  - FFY 2021 Data: 1.04%
  - FFY 2022 Target: 1.94%
- Indicator 7: Preschool Outcomes
  - A. Positive social-emotional skills (including social relationships)
    - 1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program
      - Baseline: 85.93%
      - FFY 2021 Data: 87.61% Slippage
      - FFY 2022 Target: 89.90%
    - 2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program
      - Baseline: 65.16%
      - FFY 2021 Data: 60.30% Slippage
      - FFY 2022 Target: 62.70%
  - B. Acquisition and use of knowledge and skills (including early language/communication and early literacy)
    - 1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program
      - Baseline: 86.38%
      - FFY 2021 Data: 87.89%
      - FFY 2022 Target: 86.72%
    - 2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program
      - Baseline: 63.60 %
      - FFY 2021 Data: 59.69% Slippage
      - FFY 2022 Target: 62.59%
  - C. Use of appropriate behaviors to meet their needs
    - 1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program
      - Baseline: 86.24%
      - FFY 2021 Data: 88.54% Slippage
      - FFY 2022 Target: 90.36%
    - 2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program

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- Baseline: 76.79%
    - FFY 2021 Data: 72.28% Slippage
    - FFY 2022 Target: 76.03%
  - Reason for all Slippage
    - An examination of state-level data for this indicator suggests the slippage may be attributed to the COVID-19 interruption. Factors are long term COVID-19 impact, staff turnover at the local level, and increased requests for technical assistance with data entry
- Indicator 8: Parent Involvement
  - Percent of parents with a child receiving special education services who report that school facilitated parent involvement as a means of improving services and results for children with disabilities
    - Baseline: 78.34%
    - FFY 2021 Data: 86.41%
    - FFY 2022 Target: 78.50%
- Indicator 9: Disproportionate Representation
  - Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification
    - Baseline: 0.00%
    - FFY 2021 Data: 0.00%
    - FFY 2022 Target: 0.00%
- Indicator 10: Disproportionate Representation in Specific Disability Categories
  - Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is a result of inappropriate identification
    - Baseline: 0.00%
    - FFY 2021 Data: 1.07% Slippage
    - FFY 2022 Target: 0.00%
  - Reasons for slippage
    - State level analysis indicates slippage may be attributed to the shift from use of weighted risk ratio to risk ratio; district use of outdated or inconsistent policies, practices, and procedures; and a lack of continuing district professional development for new and veteran staff
- Indicator 11: Child Find
  - Percentage of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe
    - Baseline: 98.40%
    - FFY 2021 Data: 99.63%
    - FFY 2022 Target: 100.00%
- Indicator 12: Early Childhood Transition
  - Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthday
    - Baseline: 72.00%

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- FFY 2021 Data: 99.86%
    - FFY 2022 Target: 100.00%
- Indicator 13: Secondary Transition
  - Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP team meeting with the prior consent of the parent or student who has reached the age of majority
    - Baseline: 99.84%
    - FFY 2021 Data: 98.95%
    - FFY 2022 Target: 100.00%
- Indicator 14: Post-School Outcomes
  - Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school were:
    - A. Enrolled in higher education within one year of leaving high school
      - Baseline: 48.60%
      - FFY 2021 Data: 26.84%
      - FFY 2022 Target: 45.00%
    - B. Enrolled in higher education or competitively employed within one year of leaving high school
      - Baseline: 72.60%
      - FFY 2021 Data: 55.16% Slippage
      - FFY 2022 Target: 69.60%
      - Reasons for slippage:
        - An examination of the state-level data for this indicator reveals a decrease of 4.03% below the previous year. Slippage appears attributed to respondents indicating health/disability prevented or interfered with the pursuit of continued education/postsecondary school, combined with above average state workforce unemployment rates limiting employment opportunities during this collection period
    - C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within on year of leaving high school
      - Baseline: 74.72%
      - FFY 2021 Data: 69.62%
      - FFY 2022 Target: 81.09%
- Indicator 15: Due Process Resolution Sessions
  - Percent of hearing requests that went to resolution sessions that were resolved

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through resolution session settlement agreements

- Baseline: 35.00%
- FFY 2021 Data: Did not meet threshold
- FFY 2023 Target: 37.00-40.00%
- Indicator 16: Mediation
  - Percent of mediations held that resulted in mediation agreements
    - Baseline: 75.00%
    - FFY 2021 Data: Did not meet threshold
    - FFY 2022 Target: 77.00-80.00%
- Indicator 17: State Systemic Improvement Plan
  - The State's SPP/APR includes a State Systemic Improvement Plan that meets the requirements set forth by this indicator. Kansas intends to achieve the following State-identified Measurable Result: The percentage of students with disabilities who score at grade level benchmark on General Outcome Measure reading assessment for grades Kindergarten through 5<sup>th</sup> in the targeted buildings
    - Baseline: 55.60%
    - FFY 2021 Data: 55.58%
    - FFY 2022 Target: 55.70%
- After submission of the SPP/APR, OSEP will review and then provide feedback. After that, the State has 2 weeks to respond.

## VI Eligibility

### Bert Moore

- In November, OSEP notified KSDE that they were concerned about the restrictive nature of how students with visual impairments were being looked at for receiving special education services with or without correction.
- On March 10, KSDE received a letter that said there was something on our website which was considered to be questionable about whether or not it was too restrictive. The letter did not specifically identify the document, but a fact sheet was located on our website. This fact sheet evidently had acuity levels that showed some narrowing bands of when a child might be considered eligible for services. Vision acuity refers to the degree of vision loss. Once located and analyzed by our team, it was determined to be too restrictive compared to the OSEP guidance we received.
- As Director for the State, Bert will be sending out a corrective action letter to all principals, superintendents, and directors of special education that says to please go back and review any of your students that had visual impairments that you may have used this fact sheet as evidence to support that they did not qualify for eligibility and make sure you did not use restrictive acuity levels when finding the child was not eligible to receive services. OSEP was asked to approve the letter before it is sent to administrators.

## MOE

### Christy Weiler

- IDEA Maintenance of Effort is required to ensure that LEAs do not replace State and Local funding with their federal funds. LEAs must budget at least as much as what was expended in the most recent year it met LEA MOE (Eligibility Standard). They must

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expend at least as much as they expended in the most recent year it met LEA MOE (compliance standard). There are four ways to test for MOE

- Overview of LEA MOE Regulations
  - 34 CFR §300.23
    - (a) Eligibility standard (including intervening years)
    - (b) Compliance standard
  - 34 CFR §300.204 Exception to MOE
  - 34 CFR §300.205 Adjustment to local fiscal efforts in certain fiscal years
  - 34 CFR §300.203 MOE
    - (c) subsequent years
    - (d) consequences of failure to maintain effort
- Eligibility standard – LEA must budget as much as they spent the last fiscal year
- Compliance standard – LEA must have at least the same or more of expenditures for kids with disabilities the last fiscal year they met MOE.
- Methods for calculating LEA MOE
  - The four methods
    - Total amount of state and local funds
    - Per pupil amount of state and local funds
    - Total amount of local funds
    - Per pupil amount of local funds
  - The LEA needs to only meet one test in eligibility and one in compliance to meet the requirements. KSDE's goal is that the LEA meets all four.
  - How is MOE Calculated?
    - $\text{Total LEA Special Education Expenditures} - \text{Gifted Expenditures} - \text{Part C Infant Toddler Expenditures} = \text{Total State and Local Funds}$
    - $\text{Total State and Local funds} - \text{Total state aid} = \text{Local funds only}$
- Exceptions – General
  - Permissible to take multiple exceptions in one year as long as they apply to that year
  - LEA may apply these exceptions to reduce its required MOE level and meet compliance using any of the four methods.
  - LEA may apply these exceptions to reduce its required MOE to meet the eligibility standard for any of the four methods.
- Exceptions
  - Voluntary departure of special education or related services personnel
  - Decrease in enrollment of children with disabilities.
  - Terminations of the obligation of the agency as determined by the SEA because the child:
    - Left the jurisdiction of the agency.

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- Reached the age at which obligation to provide FAPE has ended.
    - No longer needs special education programs
  - Termination of costly expenditures for long-term purchases such as equipment or construction of school facilities. Must cost more than 5k and have a long-life span
- Adjustment
  - Not something that is used much in Kansas as there is a lot of prep work
  - 34 CFR § 300.205: "...for any fiscal year for which the allocation received by an LEA under §300.705 exceeds the amount the LEA received for the previous fiscal year; the LEA may reduce the level of expenditures otherwise required by §300.23(a) by not more than 50 percent of the amount of that excess..."
  - Conditions for Using Adjustment
    - The LEA must:
      - Use the freed-up local (or state and local) funds to carry out ESSA activities during the SFY in which the adjustment takes place
      - Receive a level of determination of "meets requirements" from the SEA for the SFY of the adjustment
      - Not have had action taken against it by the SEA under IDEA Section 616
      - Not have the responsibility for providing FAPE taken away by the SEA
      - Not be determined to have significant disproportionality for the SFY of the adjustment
- Consequences
  - State must repay federal government the amount by which the LEA failed to maintain effort
  - Payback must be made from nonfederal funds or federal funds for which accountability to federal government is not required
  - State may or may not require the LEA to repay the state
  - LEA will not receive an IDEA subgrant if it does not budget at least as much as expended in the most recent year it met MOE
- Links to find your legislature members and bill tracking
  - <https://www.congress.gov/members/find-your-member>
  - [http://www.kslegislature.org/li/b2023\\_24/members/](http://www.kslegislature.org/li/b2023_24/members/)
  - <https://www.ksde.org/Agency/Fiscal-and-Administrative-Services/School-Finance/Legislation/Legislative-Bill-Tracker>

Introduction of Deputy Commissioner

Dr. Ben Proctor

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- Division of Learning services is focused on building coherence and moving good ideas and impactful practices forward into school systems.
- Why are we doing what we do – looking at the data from 2017 Sophomores
  - What are we trying to achieve? The ultimate outcome is not to increase state assessment scores. What is available to students as they go through school, graduate, and go on to be happy people?
- Focusing Direction and building coherence
  - Climate survey across the Division, approximately 95 people
  - Focusing on building a common framework for all regarding instruction, classroom practices, and how best to serve students
  - Establishing priorities- defining fundamental practices
    - Structured literacy
    - Standards-alignment
    - Quality instruction
    - Balanced assessments
  - Connecting fundamentals to KSDE vision and mission
  - Informing school improvement supports
  - Building structures and capacity

#### **Membership & 23-24 Meeting Dates & Recognition of Laura Thompson**

##### **Bert Moore and Kayla Love**

- Meeting dates for 2023-2024
  - July 27, 2023
    - 12-4PM Wichita, KS
  - September 28, 2023
    - Bishop Professional Development Center in Topeka, KS
  - November 30, 2023
    - Bishop Professional Development Center in Topeka, KS
  - January 9 & 10, 2024
    - Landon State Office Building, Room 509 in Topeka, KS
  - April 11, 2024
    - Bishop Professional Development Center in Topeka, KS
- Four members currently serving their first term and are eligible for a second term
  - Tobias Wood, Jennifer Kucinski, Marvin Miller, Brandon Gay
- Laura Thompson has reached the end of her second term and is no longer eligible to serve in that role. Thank you for your years of service.
- Open SEAC positions
  - State juvenile corrections agency representative
  - Vocational, community, or business organization representative
  - State agency responsible for foster care of children representative

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- State agency responsible for financing/delivery of services to exceptional children representative – opening July 1
- [Special Education Advisory Council \(SEAC\) Application Form 2023-2024 \(google.com\)](#)

#### Elect a chair elect

- Nominated – Marvin Miller

**Motion to approve:** Troy Ptisch

**Second:** Jennifer King

**Action:** Approved

#### Move to Cease Nominations

**Motion to Approve:** Lena Kisner

**Second:** Lindsey Graf

**Action:** Approved

#### ELP Alternative Assessments

##### Beth Fultz

- Beth is the Director of Career Standards and Assessments
- Current ESEA legislation moved the EL assessment from a Title III requirement over to a Title I, which then made it an accountability assessment meaning it had to meet the expectations that the ELA and Math tests meet in validity, fairness and reliability. The test also had to have an assessment for the students that were the most cognitively severe in the state, which was not available when the KELPA was submitted for peer review
- Upon return, it was “substantially meets requirements.”
- Last week, CSAS worked with the technical advisory committee to make sure that the assessment gets full approval from the US Department of Education
- It was noted that there was not an Alternate KELPA available when the KELPA was submitted for peer review. This resulted in a letter in our file that goes against our Title I allocations saying we were not in compliance with all of the assessment expectations that the US Department of Education requires
- The response to the US Department of Education notice of requirements not met is due December 2023. CSAS needs to have an alternate KELPA that can be submitted by that time. When that review goes through the process, hopefully the letter will be removed
- Proposal Fall 2023 – went to Board in April 2023
  - Contact the WIDA Consortium at the University of Wisconsin-Madison Center for Research to provide the assessment for students with severe cognitive disabilities
    - Multi state coalition that promotes equitable educational opportunities for English learners K-12
    - Kansas is not required to join the consortium, would be a per-student

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- fee
      - Will cover reading, speaking, listening, and writing
      - Align DLM academic content standards and the English Language Development standards
- All other assessments are designed and administrated here in the State of Kansas

## Legislative Updates

### Craig Neuenswander and Dale Brungardt

- Legislature finished up the first adjournment Friday, April 7th at 4am and they will be back in session April 24
  - April 24-25 is listed as pro forma which means some committees will meet but nothing on the floor will happen
    - Appropriations, the Ways and Means Committee will meet to review revenue estimates that they will have just received. These estimates will be used to finalize the budget
- Legislation that has passed both chambers
  - HB 2080 – Virtual State Assessments. Signed by Governor Kelly 4/7/23
    - Authorizes students enrolled in virtual schools to take virtual state assessments
  - HB2304 – Firearm Safety Curriculum = Eddie Eagle and Wildlife & Parks
    - Standardizes firearms safety programs in school districts
      - Vetoed by Governor Kelly 4/14/23
      - 4/26/23 House Motion to override veto failed
    - Does not require the district to offer the curriculum, but if they do choose to do so, that is the curriculum that will be used
  - HB 2238 – Fairness in Women’s Sports Act
    - Creating the fairness in women’s sports act to require that female student athletic teams only include members who are biologically female
    - Vetoed by Governor Kelly on 3/17/23
    - House & Senate overrode Governor’s veto on 4/5/23
  - HB 2322
    - Emotional Disturbance is now called Emotional Disability
    - Dyslexia is now a special education disability designation in Kansas
      - Does not automatically qualify a student with dyslexia for special education services
        - KSDE will be providing support to the field on how they can identify a student with a primary diagnosis or evaluation if the student has the symptoms of dyslexia or if an evaluation from a clinical psychologist, reading specialist or physician is needed
        - More to come on this
    - Approved by Governor Kelly 4/18/23
  - HB 2138
    - Separate Overnight Accommodations based on biological sex at birth
    - Appeal of School Closing decisions can be made to the State Board by

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- 5% of the patrons in a school district where the local board voted to close a school. The State Board will make a recommendation and then it goes back to the local board for final decision
    - KSHSAA Broadcast rights
    - Vetoed by Governor Kelly 4/24/23
    - House overrode veto 4/26/23
    - Senate overrode veto 4/27/23
  - SB 123
    - District pays for CTE Credential Assessment fees if a student in grades 9-12 asks the district to do so. There is no additional funding for this bill
  - HB 2236
    - Parents Rights - may withdraw child from class and complete alternative assignments if the parents do not like the content because they interfere with that family's morals, beliefs, or values
    - Vetoed by Governor 4/24/23
    - Motion to override in House failed 4/27/23
  - HB 2292
    - Promoting Kansas workforce development by enacting the Kansas apprenticeship act to expand apprenticeships with businesses, healthcare organizations and nonprofit organizations through tax credits and grants
      - This bill will assist paraprofessionals
      - Helps with programming and funding
      - Approved by Governor Kelly 4/24/23
  - SB 66
    - Enacting the Interstate Teacher Mobility Compact
      - Teachers will be able to move between states and initial licensure between those states will be easier
      - Approved by Governor 4/20/23
- Bills related to funding
  - HB Sub SB 83
    - KEEP (Kansas Education Enrichment Program)
      - Qualified student family's income must be less than 250% of Federal poverty level or the school was closed, and they live 15 miles or more from the newly designated school
      - Award is \$1,000 per public school student, only available one time
      - Private school students can receive a grant of 95% of BASE (next year the base is about \$5,000), availability is ongoing. Once qualified, they would receive this every year for educational expenses
      - Compulsory attendance assumed for home-schooled students
    - Funds Special Education at same level as this year and then adds \$72.4 million. Uses federal money, so no maintenance of effort for 24-25. Would be a one-year funding increase

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- Includes Special Education Task Force
    - Failed in Senate 17-20
  - Motion to reconsider failed 4/6/23
- HB Sub SB 113
  - Funds 3-year average CPI BASE increase - \$5,103 for 2023-2024 only. Removes ongoing increase
  - Allows HDAR to end July 1, 2024
  - No Special Education Funding
  - General Fund – higher of current year or prior year enrollment
  - Increase Cost Of Living Adjustment
    - Qualification drops from 125% -115%
    - Cap increases from 5% to 7%
  - Accept students from closed school – low enrollment weighting factor freezes for 3 years. Lower the factor, the more money the district gets per student
  - School safety grants – adds \$1 million
  - No school facility safety audits
  - Adds \$1 million to Parents as teachers (request was 1.3 million)
  - Removes additional funding for
    - Professional development – 1.9 million (statute)
    - Teacher mentor program – 1 million (statute)
    - MHIT – 3 million; remains 1 year proviso
  - Late state aid payments will be made on time, June 2023
  - Expands TCLISSP eligibility (tax credit for low-income student scholarships)
  - Private school students may participate in public school KSHSAA activities. Must be in their resident district. Districts can charge fees to these students if they also charge their public-school students. If districts have tryouts for sports, the private school students would also be required to try out, they do not automatically get a place on the team
  - Districts may compensate local State Board members
  - Open Enrollment 2024-2025
    - School must have policy by January 2024
    - Nonresident children of staff may enroll as residents
    - Homeless students may be considered residents
    - Military children have priority before lottery
  - Online parent portal to include
    - Grade-level curriculum
    - Nonacademic surveys
    - Nonresident transfers
  - Presented to Governor 5/8/23

### Individual Plan of Study

#### Natalie Clark

- Natalie is the Assistant Director on CSAS

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- Individual Plans of Study begin in middle school and are based on their career interests
- They are developed cooperatively between student, school staff members, and family members
- There are 4 minimum components of a student's IPS
  - A graduated series of strength finders and career interest inventories to help students identify preference toward career clusters
  - 8th-12<sup>th</sup> grade course-builder function with course selections based on career interests
  - General post-secondary plan (workforce, military, 2–4-year college, technical)
  - A portable electronic portfolio
- They meet two times a year to review IPS
- CSAS sends out an annual survey
- 2022 survey results. They go back a total of 4 years. 2023 spring survey went out on Tuesday, April 11th. The survey helps determine what support districts need. When developing professional development for IPS, CSAS wants to be sure to reach all those participants who are actively implementing IPS in the districts- usually teachers, counselors, and principals
- A work-based learning pilot was developed in 2020, and worked on a continuum that would be PreK-12. These include career development appropriate activities such as: guest speakers, career fairs, field trips, career mentoring, service learning, etc.
- Challenges affecting IPS implementation (from the 2022 survey) included Curriculum, tools, processes, financial, and staffing
- Resources
  - Individual Plan of Study Digital Reference Guide. Can be located on KSDE.org on the IPS page
  - IPS Student Summary. Can be used to show a college advisor what the student had accomplished in school
  - Work-based learning digital reference guide
  - There is a contact in each of the five workforce regions available to act as liaisons between education and business and industry
- IPS Star recognition Timeline
  - January – applications open
  - May 12 – applications due
  - Fall – Star recognition recipients announced

#### **Council Ex-Officio Member Updates**

- **Families Together – Lesli Girard**
  - Families Together has 2 physical offices and 2 cities with remote staff
    - Physical: Topeka and Wichita
    - Remote: Garden City and Kansas City
  - 3 Spanish speaking staff members, one specifically for translation
  - Mission: Families Together Inc exists to encourage, educate, and empower families to be effective advocates for their sons and daughters with exceptionalities

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- Families Together, INC is the Parent Training and Information (PTI) Center and Family-to-Family Health Information Center (F2F HIC) for Kansas families as designated by the State
- Founded in 1982, Partnership with KSDE in 1990, Partnership with what is now DCF in 1995, and became the F2F HIC in 2008
  - KSDE contracts include
    - Educational Advocate Program
    - MTSS training for parents
    - Regional and statewide conference funding
    - Individualized assistance to parents and educators about family engagement
    - State personnel development grant (SPDG) School mental health initiative
  - Kansas Department of Aging and Disabilities contract
    - Regional transition conferences for families (Shift)
- PTI Grant offers
  - Individualized parent assistance
    - Toll free calls in Spanish and English, one-to-one meetings, Review Individual Family Service Plans, Individual Education Plans or Behavior Intervention Plans, person-centered planning, building relationships, locate community resources
  - Information and referral/location of community resources
  - Parent training
  - Newsletters and Monday Memos
- Life Course Framework, Person Centered Planning
  - What do you want your life to look like and what do you not want for your life
- Examples of resources
  - All about me- Organizational tool for parents
  - Guide to Special Education for Families and Education Advocates
  - Step Ahead at Age 3
- Family to Family Health Information Center
  - Helps parents advocate within the health care system
  - Serves families whose children and youth have special health care needs
- Examples of F2F HIC resources
  - CareING Notebook
  - Health Book for Teens
- Training: Transition to Adulthood
  - Building the Dream: Planning for the Transition from School to Adult Life

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- iTransition- for youth
  - Family employment awareness training (FEAT)
    - 2 day in person training
  - Shift transition to adulthood training
    - Vocational rehabilitation and centers for independent living
  - Raising Expectations through Person-centered planning
- **Kansas Association of Special Education Administrators (KASEA) – Ashley Enz**
    - KASEA Winter conference was a large success. There were 141 attendees. Next year’s conference is going to be two days in February, in Wichita
    - Association is reviewing and potentially revising some of the Constitution and Bylaws
    - Office nominations and membership awards have been going since the end of March
      - 2 Main ones are General Education Administrator of the Year and the United School Administrators Outstanding Service Award
    - Continuing to advocate for fully funding special education. The KASEA legislative committee is continuing to monitor bills that are being introduced.
    - **KDOL Posters Link:**  
<https://klic.dol.ks.gov/vosnet/gsipub/documentView.aspx?enc=UbQEi2djXjv4KxAPLlkAnQ==>
  - **Disability Rights Center – Mike Burgess**
    - TCIEA – Transition Competitive Integrated Employment Act was reintroduced recently
      - 5-year phase out of 14c
      - Provide funding and technical assistance to states and providers to help make the transition from 14c
    - KDADS budget
      - Proviso for community support waiver
      - Individual budget authority across services
      - Cap of 20k a year approximately
      - Targeted case management increase in both budgets. Should help many of the waitlisted families
    - HB 2016
      - ADA violations on Kansas websites
      - DRC worked with proponents on this bill
    - HB 2252
      - “Kathy’s Bill” named after Kathy Lobb

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- Establishes a state employment preference for persons with disabilities similar to the veterans preference
  - [iTransition Application \(itransitionks.org\)](http://itransitionks.org)
    - Spanish version being worked on in two other states
  - [I Decide — Supported Decision Making \(idecidekansas.org\)](http://idecidekansas.org)
- **Kansas State Board of Education (KSBOE) Update –**
  - <https://www.ksde.org/Board/Kansas-State-Board-of-Education/Streaming-Media>
  - [jmcniece@ksde.org](mailto:jmcniece@ksde.org)
  - Board visited the School for the Deaf and Blind April 12.
    - Excellent tours with many improvements from 5 years ago
  - State Board is continuing to be committed to fully funding special education
  - Dyslexia is a big conversation as we move forward
  - The big challenge for the future is teacher vacancies, regular education and special education
- **KSSD- Luanna Barron**
  - Campus based program in Olathe
    - Approximately 150 students come to campus
  - Outreach program
    - KSSD team that goes out to schools to provide services
    - Approximately 500 students served, birth – 21
    - Intervention specialists that provide home visits
  - Uptick in newborn hearing screening identifications
    - Once identified families are referred to the local tinyK program, who then refers to KSSD
    - Approximately 150 families are receiving resources and support. Number continues to grow
- **KSSB-- Deb Howser**
  - 50 students come to campus for services
  - 800 kids throughout the state are provided services every week
  - 1200 students are served throughout the year
  - Preschool program began a few years ago
    - 9 students slated for next year
  - Project Search Program
    - Transition program for students 18-21. KSSB is the second school for the blind to offer this program in the USA
    - Partner with YMCA in close proximity to KSSB
  - Transition program for career tech or community college
    - Kansas City Community College and the connected
  - Online computer science class
    - Partner with Microsoft to co-teach classes with KSSB teachers to teach the content

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- Python program language
- Online braille classes
- Music braille classes
- Music and Me program
- Mobile STEM van continues to grow
  - Loaded with different STEM equipment
  - The van will come to any school upon request
- Partner with state assessment developers to continue working to make assessments more accessible to all students across Kansas

#### Other Updates:

##### Marvin Miller

- KU started a Kansas Navigator Series for transition
  - [https://kusurvey.ca1.qualtrics.com/jfe/form/SV\\_2cvFuSoUMd6CA0m](https://kusurvey.ca1.qualtrics.com/jfe/form/SV_2cvFuSoUMd6CA0m)
- Sedgwick County Transition Council
  - Building a website of resources for transition
  - <https://www.transitioncouncil-scks.org/>

#### Special Education Advisory Council Meeting Dates 2023-2024

##### July 27, 2023

12-4PM Wichita, KS

##### September 28, 2023

Bishop Professional Development Center

Topeka, KS

##### November 30, 2023

Bishop Professional Development Center

Topeka, KS

##### January 9 & 10, 2024

Landon State Office Building, Room 509

Topeka, KS

##### April 11, 2024

Bishop Professional Development Center

Topeka, KS

#### Closing Comments

Items for Next meeting

- Contact Tobias, Bert, or Kayla with any new items

Action:

Motion to Adjourn: Marvin Miller

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Motion seconded: Brooke Moore

Meeting adjourned: at 2:55pm

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