

KANSAS
SPECIAL EDUCATION
ADVISORY COUNCIL

By-Laws

Revised February 2015

Table of Contents

INTRODUCTION.....	1
DEFINITIONS	2
KSBE MISSION AND GOALS	3
DIVISION OF LEARNING SERVICES	4
COUNCIL MEMBERSHIP.....	5
COUNCIL LEADERSHIP	6
MEMBERSHIP TENURE	6
MEMBERSHIP RESPONSIBILITIES.....	7
FORMAT FOR PUBLIC COMMENT	8
ROLE OF EARLY CHILDHOOD, SPECIAL EDUCATION, AND TITLE SERVICES	9
COUNCIL MEETINGS.....	10
MEETING NORMS	10
COUNCIL PROCEDURES	11
FEDERAL REGULATIONS	14
KANSAS STATUTE.....	16
KANSAS STATUTE - COMPENSATION.....	18

This document has been prepared to assist the Kansas Special Education Advisory Council members. Questions concerning the Kansas Special Education Advisory Council and the council's operation should be directed to the State Director of Early Childhood, Special Education and Title Services:

Special Education Advisory Council
Kansas State Department of Education
900 SW Jackson Street, Suite 620
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Phone: (785) 291-3097 FAX: 785-291-3791 E-Mail: SEAC@ksde.org

Kansas Special Education Advisory Council Operating Procedures

Introduction

The purpose of this manual is to provide information and resources that clarify the role of the Kansas Special Education Advisory Council (SEAC) in the education of Kansas youth. Its membership is composed of individuals in, or concerned with, the education of children with exceptionalities ages birth through 26.

The Advisory Council shall have and perform such powers, functions, and duties as specified by law. Responsibilities include offering advice, consultation, and recommendations to the Kansas State Board of Education regarding matters concerning special education services.

The Kansas Special Education Advisory Council advocates for an educational system that achieves excellence, equity, and lifelong learning for all individuals in Kansas. Kansas SEAC is committed to representing individuals with diverse and changing educational needs.

Definitions

The following terms are used throughout this manual and at Council meetings.

Advisory Council	The Kansas Special Education Advisory Council
Child with an exceptionality	Persons in Kansas with disabilities or gifted children who are school age, to be determined in accordance with [K.A.R. §§ 91-40-1(ddd) and amendments thereto].
Council	The Kansas Special Education Advisory Council
DLM	Dynamic Learning Maps
Elementary and Secondary Education Act (ESEA)	Federal education law and corresponding regulations.
Individuals with Disabilities Education Act (IDEA)	Federal special education law and corresponding regulations.
Kansas State Eligibility Document	A state document that outlines Kansas special education regulations, policies, and procedures in Kansas.
KCCRS	Kansas College and Career Ready Standards
KLN	Kansas Learning Network
Membership	Individuals appointed by the Kansas State Board of Education as stipulated by Kansas statute to serve on the Special Education Advisory Council.
MTSS	Multi-Tiered System of Supports
SEAC	The Kansas Special Education Advisory Council
Special teacher	A person, employed by or under contract with a school district, which provides special education services.
State	The state of Kansas.
State Board	Kansas State Board of Education
State Education Agency	The Kansas State Department of Education
TASN	Technical Assistance Systems Network
Team Leader	State Director of Early Childhood, Special Education and Title Services or Staff Administrator

KSBE Mission and Goals

KSBE MISSION

The Mission of the State Board of Education is to prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents.

KSBE Goals

To accomplish this mission the State Board has identified five goals. They are as follows:

- Provide a flexible delivery system to meet our students' changing needs.
- Provide an effective educator in every classroom.
- Ensure effective, visionary leaders in every school.
- Promote and encourage best practices for early childhood programs.
- Develop active communication and partnerships with families, communities, business stakeholders, constituents and policy makers.

Division of Learning Services

The Division of Learning Services works collaboratively to provide leadership for continuous improvement of educational systems to ensure and enhance learning for all Kansas students.

ECSET Team Purpose

Our team exists to support students in every classroom in Kansas.

SEAC Goal

The Kansas Special Education Advisory Council will advocate for an educational system that achieves excellence, equity, and lifelong learning for all individuals in Kansas.

SEAC Beliefs

The Kansas Special Education Advisory Council is committed to lifelong learning. SEAC believes that:

1. Partnerships increase collaboration for better services.
2. Visionary leadership is essential for appropriate services to meet the needs of all students.
3. Innovation is essential to the process of lifelong learning.
4. All child service systems must be provided in an integrated and collaborative manner.
5. Education is an evolving process that requires innovation, continuous growth, and evaluation.
6. The needs of individuals in a diverse community must be met.

Council Membership

The Kansas Special Education Advisory Council (SEAC) is composed of no more than twenty-one individuals involved in or concerned with the education of children with exceptionalities and the state administrator of Early Childhood, Special Education and Title Services (ECSETS). Members shall be appointed by the state board of education. A majority of the members of the council shall be individuals with disabilities or parents of children with disabilities. The membership must include representation from the following groups:

- Parents of children with exceptionalities, ages birth through 26 years. At least one of such parents shall be the parent of a gifted child.
- Individuals with disabilities.
- Teachers who are employed or under contract with a school district.
- A representative of institutions of higher education that prepare special education and related services personnel.
- A local education official from a public elementary or secondary school, school district, cooperative, interlocal, state school or state institution, including an official who carries out activities under the federal McKinney-Vento homeless education act.
- A state education official.
- A representative of other state agencies involved with financing or delivery of related services to exceptional children. Related services include transportation, and such developmental, corrective, and other supportive services, including speech-language pathology and audiology services, interpreting services, psychological services, physical and occupational therapy, recreation, including therapeutic recreation, social work services, school nurse services, and medical services as may be required to assist an exceptional child to benefit from special education, and includes the early identification and assessment of disabling conditions in children.
- A representative of a vocational, community, or business organization concerned with the provision of transition services for children with disabilities. Transition services are a coordinated set of activities for a student with disabilities, designed within a results-oriented process that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child's movement from school to post school activities.
- A representative of a private school.
- A representative of a public charter school.
- An administrator of a program for children with exceptionalities.
- A representative of the state adult corrections agency.
- A representative of the state juvenile justice agency.
- A representative from the state agency responsible for foster care of children.
- A representative from PTI as ex officio.

Consideration for membership includes the following:

- Membership representation from each of the KSBE (ten) state regions.
- Individuals who possess knowledge of educational needs of children with exceptionalities.
- Ability of the individual to represent his/her constituency, and to maintain communication between the constituency membership and the Special Education Advisory Council.
- Personal experience demonstrating knowledge of a broad view of special education services.
- Membership representing a diverse population.
- Commitment to active participation in the Special Education Advisory Council meeting.

Council members are appointed for a term of three years, beginning July 1 of their first year and ending June 30 of the third year. As noted in Kansas statute, members of the SEAC who attend meetings of the council, or attend a subcommittee meeting thereof authorized by the state board, shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. § 75-3223, and amendments thereto.

Council Leadership

At the SEAC's last meeting of the year, nominees for the positions of chairperson and vice-chairperson will be solicited. At the Council's first meeting of the following year, the Council will elect a chairperson and vice-chairperson. The office of secretary will be filled by the person in the Kansas State Department of Education designated by the Board as the Team Leader for ECSET.

Membership Tenure

Membership shall consist of not more than 21 members. Membership appointment on the Kansas Special Education Advisory Council shall be for a term of three years. No members may serve more than two consecutive terms. Acceptance by an individual to the Council appointment indicates a commitment of the individual to actively participate in Council meetings and duties. Should a member miss three meetings in a given year, the Secretary may recommend a replacement to the Kansas State Board of Education for the position represented by the inactive member and notify the inactive member of the termination of their appointment. Failure of the appointed member to participate in a scheduled meeting will result in a recorded absence.

In unexpected circumstances, events may occur during a three-year membership term prohibiting the appointed member from fulfilling his/her responsibilities and/or disqualifying the member from representing the assigned constituency. Should this situation occur, the Secretary may recommend to the State Board the removal of the appointee. Subsequently, a replacement for the position will be recommended for State Board approval. An individual appointed to replace a Council member who has resigned or been removed, will be appointed for the completion of the term vacated by the replaced member. This partial fulfillment of a previous member's term is not considered one of the two possible consecutive terms a member may serve. Upon completion of the partial term, and with recommendation of the Secretary, the State Board may reappoint the individual for a full three-year term of membership.

Membership Responsibilities

Council responsibilities under the regulations implementing Part B of the Individuals with Disabilities Education Act (IDEA) and the state statute include:

The State advisory panel must—

1. Advise the SEA and state board of unmet needs within the State in the education of children with exceptionalities;
2. Comment publicly on any rules or regulations proposed by the State, including those proposed by the state board, regarding the education of children with exceptionalities;
3. Advise the SEA and state board in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
4. Advise the SEA and state board in developing corrective action plans to address findings identified in federal monitoring reports under Part B of the Act; and
5. Advise the SEA and state board in developing and implementing policies relating to the coordination of services for children with exceptionalities.

One of the major functions of the Advisory Council is to serve as a liaison between the statewide populace and the Kansas State Board of Education. Citizens of Kansas are encouraged to communicate with the Council. This may be accomplished through contact with any Council member or the Secretary to the Council. Local education agency personnel, school patrons, students, lay community persons, private sector, public and private agencies, and educators at all levels are encouraged to submit relevant issues, questions and problems to the Council for consideration and action.

Fulfillment of state and federal regulations may require Council membership involvement in the following activities:

1. providing advice and recommendations regarding the preparation and administration of the state eligibility document;
2. providing recommendations/testimony regarding special education regulations revisions;
3. presenting to the Kansas State Board of Education, recommendations and/or testimony regarding special education regulations or issues impacting special education programs;
4. developing recommendations concerning issues related to special education services;
5. obtaining information from constituencies regarding issues before the Council and under consideration by the State Board; and
6. developing materials and/or resources addressing special education issues in the State.

Format for Public Comment

Members of the public are welcome to address the State Advisory Council for Special Education (SEAC) on relevant topics. Public comments will be scheduled at a designated time, during regularly scheduled meetings, at five minute intervals. Scheduled meetings and public comment dates/times may be found on the KSDE website at:

<http://www.ksde.org/Default.aspx?tabid=561>. Persons who wish to comment will be asked to share their name, organization, and topic. With prior agreement of the chairperson, a statement may be extended beyond five minutes. The members of the council will take comments under consideration. Should public comments indicate the need for a council response or action, members will take comments under consideration and an official response will be made at a later time. To schedule time on the agenda for public comment or to submit written materials to the SEAC please contact the SEAC secretary at: SEAC, Kansas State Department of Education, 900 SW Jackson Street, Suite 620, Topeka, Kansas 66612, Phone: 785-291-3097, Fax: 785-291-3791, SEAC@ksde.org.

There are four types of meetings which could be included in the Advisory Panel structure. Meeting notices should indicate what type of meeting is being held and whether public input will be heard.

Regular Meetings

1. Those persons who wish to speak are asked to write or phone the Council Secretary, in a reasonable time frame before the meeting (if possible).
2. At the meeting, the Council Chairperson will determine how many speakers can be heard, giving priority to those who have made requests in advance. Presentations will not exceed five (5) minutes.

Individuals may be heard at other times during the meeting at the discretion of the Council Chairperson. It is in order, and at times necessary, for the Chairperson to rule that only Council members speak on a selected topic or motion. Requests to present information to SEAC shall be directed by the Council Secretary and forwarded to the Committee Chairperson.

3. Presenters are to bring copies of their materials or send a copy to the Council Secretary before or after the presentation so that copies can be made and distributed to members. Copies submitted after the meeting should be sent within five days of the presentation.
4. A time for public comment will be scheduled at each regular meeting.
5. If time permits, the Council Chairperson will allow input on items that are not on the agenda.

Specially Called Working Sessions

Notices of these meetings will indicate whether input will be heard. If so, the guidelines for regular meetings will apply.

Committee Meetings

The agenda will list the time and place of all Council Committee meetings along with the topics to be considered. Input and interaction with members are welcome at all Committee meetings with ground rules set by the Committee Chairperson at the time of the meeting.

Public Input Sessions

Sessions on special topics will be scheduled by the Council as needed. Presentations will be limited by the Council Chairperson depending upon the number of persons wishing to speak. Council members will remain until all persons wishing to speak have been heard. Members may ask questions for clarification at these sessions, but will not interact with the audience.

NOTE: Written input may be sent to any member, the Council Chairperson, or the Council Secretary. Disposition of the communication will be at the discretion of the Council Chairperson.

Public Notice

Public Notice will be made for each meeting of the Council. The notice shall include: "The Kansas Special Education Advisory Council will meet (date) (time) (place). Interested persons are invited to attend. Agendas are available by calling (785-291-3097), on the SEAC website: <http://www.ksde.org/Default.aspx?tabid=561>, or writing Special Education Advisory Council, Kansas State Department of Education, 900 SW Jackson Street, Suite 620, Topeka, Kansas 66612."

Role of Early Childhood, Special Education, and Title Services

The Team Leader of the Early Childhood, Special Education, and Title Services team will serve as secretary and may appoint an SEA staff member to serve as a liaison to the Advisory Council. The primary role of the Team Leader is to assist with the functions of the Executive Committee and facilitate the acquisition of information and resources requested by Council members.

Council Meetings

The Kansas Special Education Advisory Council shall meet upon the call of the Chairperson or upon the call of the State Board as often as may be necessary, at times and places designated by the Chairperson or by the State Board, in order to fulfill the duties prescribed under the provisions of the Individuals with Disabilities Education Act (IDEA).

The Council's yearly meeting schedule will be determined at the first Council meeting of the year. The Council will conduct a minimum of four "regular" one day meetings during the year. These meetings will be scheduled to coincide with meeting dates of the Kansas State Board of Education and will generally be held in Topeka. In addition, an orientation session for new members will be held; a retreat may be organized; a long-range planning session may be held; and study groups to address key issues in special education may be formed. Consideration will also be given to the scheduling of special "networking" meetings that may coincide with other organizational meetings and/or conferences such as: Council for Exceptional Children, Kansas United School Administrators, Kansas Association for Special Education Administrators, and Kansas Technical Assistance System Network (TASN) sponsored events such as the Annual Summer Leadership Conference. Required meetings of members include the "regular" meetings.

Meeting Norms

- Council members are responsible for reviewing the agenda and materials for each meeting. It is important that all members be well informed in order to represent their constituency and insure that Council actions are appropriate.
- Members will arrive on time and stay until the meeting is adjourned except in emergencies.
- Each meeting will start and end on time.
- A quorum shall be constituted by a simple majority of the Council membership and will be necessary for all matters of official business.
- In the absence of the Chairperson, the Vice-Chairperson shall assume the position of temporary Chairperson and shall preside at the meeting.
- Council members will receive a meeting agenda and a packet of information pertaining to the meeting in advance.
- Council discussion will be limited to items on the proposed agenda. Should there be a desire to submit additional items for the agenda, changes to the agenda can be made by a majority vote at the beginning of each meeting.
- The Council will determine the method to be used for making decisions. In all cases where law or these by-laws do not apply, the rules of parliamentary law in Robert's Rules of Order Newly Revised shall govern.
- All members are encouraged, and will be given an equal chance, to assume various roles. Opportunities for personal growth and professional development are valued

- The Special Education Advisory Council will assume responsibility for any oversights or errors in judgment that lead to inappropriate decisions and/or actions by the Council. When identified, said problem will be revisited.

Council Procedures

The Kansas Special Education Advisory Council will operate in compliance with state and federal requirements.

Each year at the Council's first meeting, the Council shall appoint two members to serve on the executive committee in addition to the Chairperson, Vice-Chairperson, and Secretary. Meeting times and places may be designated by the Chairperson or by the State Board in order to fulfill the duties prescribed under the provisions of the Kansas Special Education for Exceptional Children Act.

1. The Special Education Advisory Council will submit an annual report of the preceding year's activities and recommendations to the State Board. This report will be made available to the public.
2. The Council will maintain official minutes for all Council meetings (these minutes shall be made available to the public).
3. All Council meetings and agenda items will be publicly announced prior to the meetings (meetings will be open to the public).
4. Auxiliary aids and services will be provided as needed to council members or participants with exceptionalities upon request.

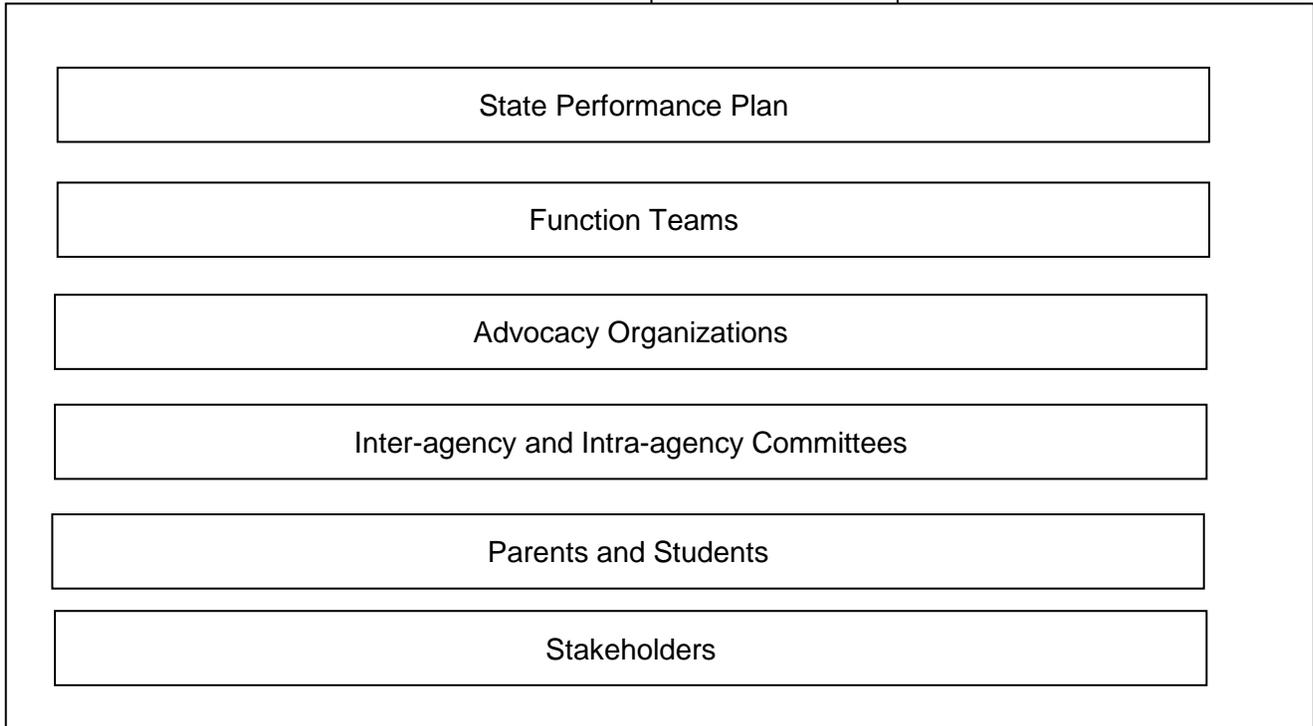
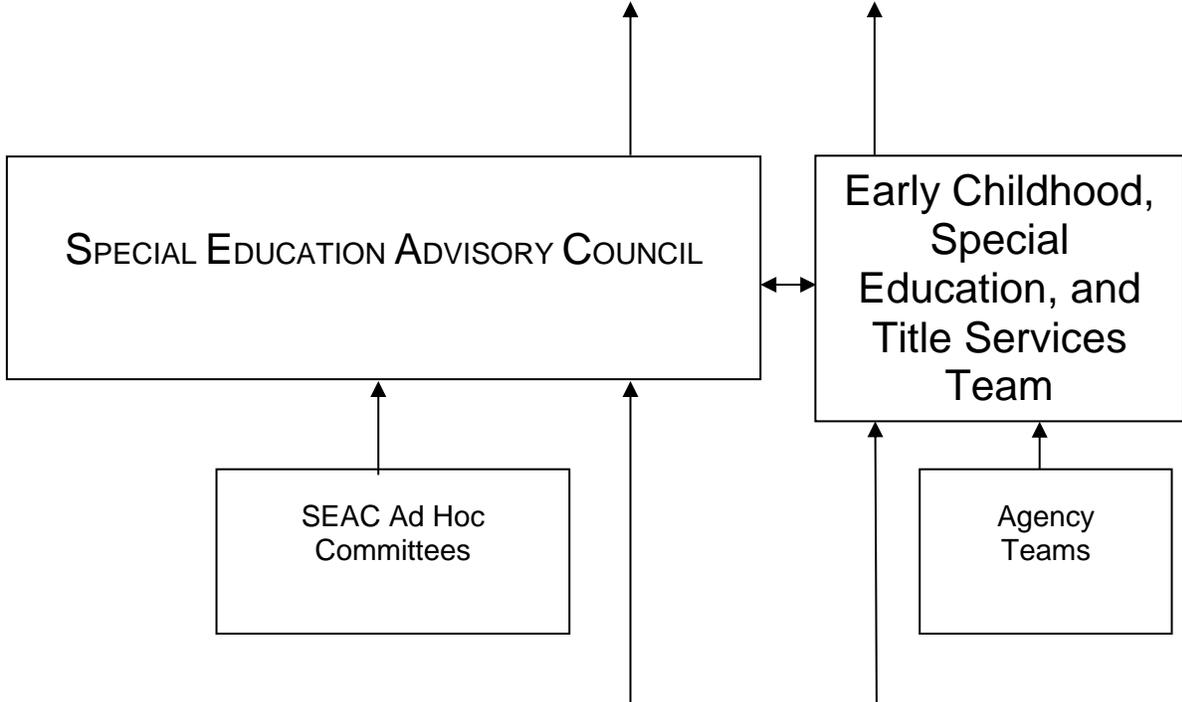
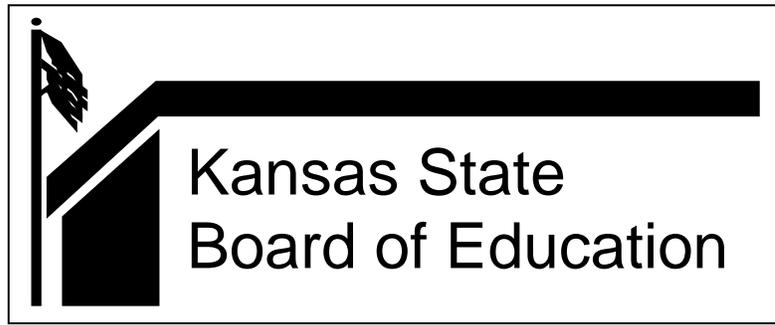
Appendix

Kansas State Board of Education/Special Education Advisory Council
Organizational Chart

Federal Regulations

Kansas Statute - SEAC

Kansas Statute - Compensation



Federal Regulations

Regarding the Special Education Advisory Council

State Advisory Panel

34 C.F.R. § 300.167 State advisory panel.

The State must establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State. (Authority: 20 U.S.C. 1412(a)(21)(A))

34 C.F.R. § 300.168 Membership.

- (a) *General.* The advisory panel must consist of members appointed by the Governor, or any other official authorized under State law to make such appointments, be representative of the State population and be composed of individuals involved in, or concerned with the education of children with disabilities, including—
- (1) Parents of children with disabilities (ages birth through 26);
 - (2) Individuals with disabilities;
 - (3) Teachers;
 - (4) Representatives of institutions of higher education that prepare special education and related services personnel;
 - (5) State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act, (42 U.S.C. 11431 *et seq.*);
 - (6) Administrators of programs for children with disabilities;
 - (7) Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
 - (8) Representatives of private schools and public charter schools;
 - (9) Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
 - (10) A representative from the State child welfare agency responsible for foster care; and
 - (11) Representatives from the State juvenile and adult corrections agencies.
- (b) *Special rule.* A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (ages birth through 26).

(Authority: 20 U.S.C. 1412(a)(21)(B) and (C))

34 C.F.R. § 300.169 Duties.

The advisory panel must—

- (a) Advise the SEA of unmet needs within the State in the education of children with disabilities;
- (b) Comment publicly on any rules or regulations proposed by the State regarding the education of children with disabilities;

- (c) Advise the SEA in developing evaluations and reporting on data to the Secretary under section 618 of the Act;
- (d) Advise the SEA in developing corrective action plans to address findings identified in Federal monitoring reports under Part B of the Act; and
- (e) Advise the SEA in developing and implementing policies relating to the coordination of services for children with disabilities.

(Authority: 20 U.S.C. 1412(a)(21)(D))

Kansas Statute

Regarding the Special Education Advisory Council

K.S.A. § 72-964

State advisory council for special education; composition; duties; expenses; meetings.

- (a) There is established a state advisory council for special education which shall consist of not more than 21 members. Members of the advisory council shall be appointed by the state board of education, and shall serve for a term of three years. No member may serve more than two consecutive terms. Whenever a vacancy occurs in the membership of the advisory council for any reason other than the expiration of the term of a member, the state board shall appoint a successor for the remainder of the unexpired term.
- (b)
 - (1) The advisory council established under this section shall be representative of the state population and be comprised of persons involved in, or concerned with, the education of exceptional children, including:
 - (A) Parents of exceptional children, ages birth through 26 years. At least one of such parents shall be the parent of a gifted child;
 - (B) individuals with disabilities;
 - (C) teachers;
 - (D) representatives of institutions of higher education that prepare special education and related services personnel;
 - (E) state and local education officials, including officials who carry out activities under the federal McKinney-Vento homeless education act, 42 U.S.C. 11431 et seq.;
 - (F) administrators of programs for exceptional children;
 - (G) representatives of other state agencies involved in the financing or delivery of related services to exceptional children;
 - (H) representatives of private schools and public charter schools;
 - (I) at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
 - (J) representatives from the state juvenile and adult corrections agencies; and
 - (K) a representative from the state agency responsible for foster care of children.
 - (2) A majority of the members of the advisory council shall be individuals with disabilities or parents of children with disabilities ages birth through 26.
- (c) The state advisory council for special education shall:
 - (1) advise the state board of unmet needs within the state in the education of exceptional children;
 - (2) comment publicly on any rules and regulations proposed by the state board regarding the education of exceptional children;
 - (3) advise the state board in developing evaluations and reporting on data to the federal government;
 - (4) advise the state board in developing corrective action plans to address findings identified in federal monitoring reports; and

- (5) advise the state board in developing and implementing policies relating to the coordination of services for exceptional children.
- (d) Members of the state advisory council for special education attending meetings of such council, or attending a subcommittee meeting thereof authorized by the state board, shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto.
- (e) The state board shall call the members of the advisory council to meet at least once each year, at which meeting the council shall organize by electing a chairperson and a vice-Chairperson. The person in the department specified to be the principal administrator of special education and related services shall be the secretary of the advisory council. The council shall meet upon the call of the chairperson or upon the call of the state board as often as may be necessary at times and places designated by the chairperson or by the state board in order to fulfill the duties prescribed under the provisions of this act.

Kansas Statute - Compensation

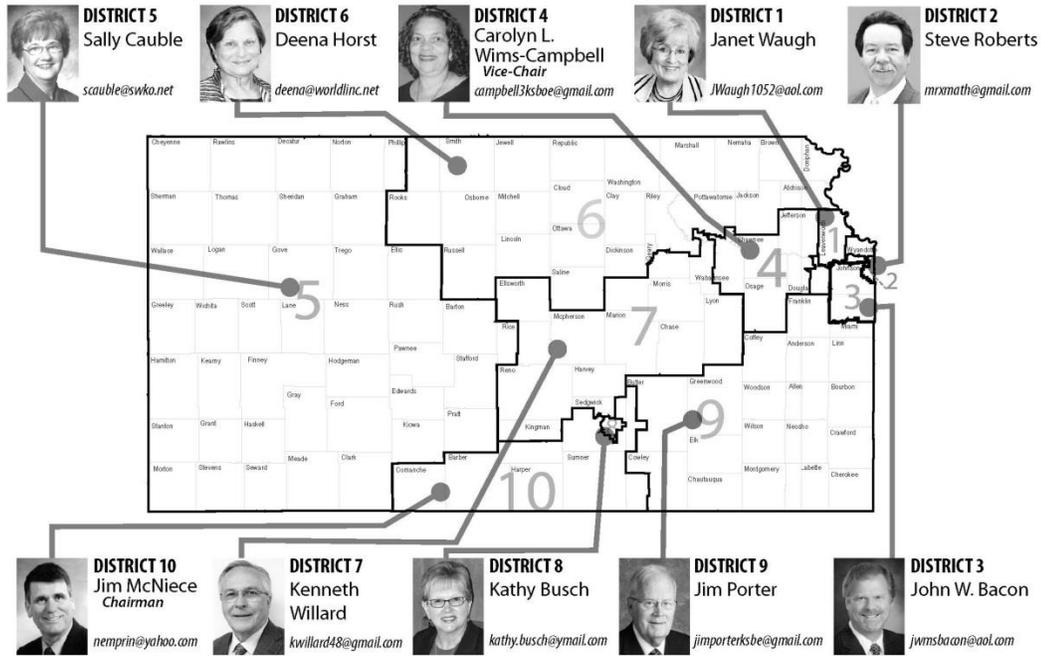
K.S.A. § 75-3223 Compensation, subsistence allowances, mileage and expenses of members of board; "board" defined.

- (a) Whenever it is provided by law that a member of a board is to receive compensation as provided in this section, such member shall be paid per diem compensation of thirty-five dollars (\$35) for each day of actual attendance at any meeting of such board or any subcommittee meeting authorized by such board. No per diem compensation shall be paid under this section to salaried state officers or employees except that whenever a member of the legislature is a member of a board he or she shall receive compensation as provided in K.S.A. 75-3212 and amendments thereto.
- (b) Whenever it is provided by law that a member of a board is to be paid subsistence allowances as provided in this section, such member shall be paid subsistence allowances as provided in K.S.A. 75-3207, unless such member is also a member of the legislature, in which case such member shall be paid subsistence allowances as provided in K.S.A. 75-3212 and amendments thereto.
- (c) Whenever it is provided by law that a member of a board shall be paid mileage as provided in this section, such member shall be paid the mileage rate prescribed under K.S.A. 75-3203a and amendments thereto for miles actually traveled in going to and returning from a meeting of such board (or any subcommittee meeting authorized by such board), computed in accordance with rules and regulations of the secretary of administration adopted under K.S.A. 75-3207.
- (d) Whenever it is provided by law that a member of a board shall be paid expenses (in addition to mileage and subsistence), such member shall be paid actual and necessary expenses incurred in performing his or her statutory duties as such member in accordance with K.S.A. 75-3203 and amendments thereto and K.S.A. 75-3207 and rules and regulations of the secretary of administration adopted under K.S.A. 75-3207.
- (e) Whenever it is provided by law that members of a board shall receive amounts provided for in [this] subsection (e) of K.S.A. 75-3223 and amendments thereto, such members shall receive subsistence allowances as provided in K.S.A. 75-3207 and amendments thereto, mileage at the rate prescribed under K.S.A. 75-3203a and amendments thereto and other actual and necessary expenses incurred in performing his or her statutory duties as such member in accordance with K.S.A. 75-3203 and amendments thereto and rules and regulations of the secretary of administration adopted under K.S.A. 75-3207, unless such member is a legislator in which case such legislator shall receive the compensation, subsistence allowances, mileage and other expenses authorized for legislators under subsections (a), (b), (c) and (d) of this section.
- (f) "Board" as used in this section means any three or more public officers or other persons who are given by law a joint authority.

The mission of the Kansas State Board of Education is to prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents. To accomplish this mission the State Board has identified five goals. They are as follows:

- Provide a flexible delivery system to meet our students' changing needs.
- Provide an effective educator in every classroom.
- Ensure effective, visionary leaders in every school.
- Promote and encourage best practices for early childhood programs.
- Develop active communication and partnerships with families, communities, business stakeholders, constituents and policy makers.

Adopted Mar. 2013



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**KANSAS INTERIM COMMISSIONER OF
EDUCATION | DIVISION OF LEARNING
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Brad Neuenswander
(785) 296-3202 | (785) 296-2304



**DIVISION OF FISCAL AND
ADMINISTRATIVE SERVICES**
Dale M. Dennis
Deputy Commissioner
(785) 296-3871

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding the non-discrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 SW Jackson, State 102, Topeka, KS 66612-1212, (785) 296-3201

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