

Student Support Services
Kansas State Department of Education
120 SE 10th Avenue, Topeka, Kansas 66612

December 1, 2005

Ms. Gwendolyn A. Gage
U.S. Dept. of Education
Mail Stop 2600
7100 Old Landover Rd.
Landover, MD 20785-1506

Dear Ms. Gage:

The Kansas State Department of Education is submitting electronically the Kansas State Performance Plan for FFY 2004. The report will be sent via email:

1. Cover Letter
2. The SPP document
3. SPP attachment 1

If there are concerns with receiving any of the information, please contact Deb Burns at dburns@ksde.org or 785-291-3097.

The staff at KSDE estimates time spent preparing the document totals between 700-790 staff hours.

Sincerely,

A handwritten signature in black ink that reads "ZoAnn Torrey".

ZoAnn Torrey,
State Director



Student Support Services, KSDE

Kansas FFY 2005-2010 State Performance Plan For Special Education

December 2, 2005

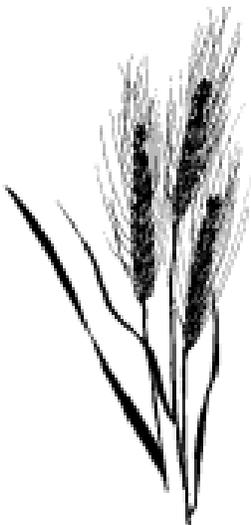


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Acronyms

ADHD	Attention Deficit Hyperactivity Disorder
AYP	Annual Yearly Progress
CADRE	Consortium for Appropriate Dispute Resolution In Special Education (OSEP Project)
CIA	Continuous Improvement Application
CIM	Continuous Improvement Monitoring
CTQ	Center for Improving Teacher Quality
DST	District Support Team
EC	Early Childhood
ECO	Early Childhood Outcomes Center
ECSE	Early Childhood Special Education
EIS	Early Intervening Services
FAM	Focused Assistance and Monitoring
FFY	Federal Fiscal Year
GSEG	General Supervision Enhancement Grant
IDEA 2004	Individuals with Disabilities Education Improvement Act
IHE	Institutes of Higher Education (universities)
INKS	Inclusive Network of Kansas (KSDE Project)
ITV	Interactive Television
JJA	Juvenile Justice Authority
KAQCCRRA	Kansas Association of Child Care Resources and Referral Agencies
KanDis	Kansas Discipline database
KASEA	Kansas Association of Special Education Administrators
KDHE	Kansas Department of Health and Environment
KERC	Kansas Education Resource Center website
KHSA	Kansas Head Start Association
KHSSCP	Kansas Head Start State Collaboration Project
KICC	Kansas Interagency Coordinating Council
KIDS	Kansas Individual Data on Students (KSDE Project)
KIRC	Kansas Instructional Resource Center (KSDE Project)
KISMSS	Kansas Integrated Data Management and Support System (KSDE Project)
KISN	Kansas Instructional Support Network (KSDE Project)
KITS	Kansas Inservice Training System (KSDE Project)
KLFA	Kansas Learning First Alliance
KLIPP	Kansas Low-Incidence Personnel Preparation
KPIRC	Kansas Parent Information Resource Center
KSBE	Kansas State Board of Education
KSDE	Kansas State Department of Education
KSTARS	Kansas Statewide Technical Assistance Resource System
LEA	Local Education Agency (District Special Education Agency)
LEAMIS	Local Education Agency Management Information System
LRE	Least Restrictive Environment
LSD	Learning Services Division, KSDE
McRel	Mid-continent Research for Education and Learning
MIS	Management Information System
MPRRC	Mountain Plains Regional Resource Center
NCCRESt	National Center for Culturally Responsive Educational Systems (OSEP Project)

NCLB	No Child Left Behind
NCSEAM	National Center for Special Education Accountability Monitoring (OSEP Project)
NCSET	National Center on Secondary Education and Transition (OSEP Project)
NECTAL	National Early Childhood Technical Assistance Center (OSEP Project)
NPSO	National Post School Outcomes (OSEP Project)
NRCLD	National Research Center on Learning Disability's
OSEP	Office of Special Education Programs
PBIS	Positive Behavior Interventions Support (OSEP Project)
PLEPS/PLAAFP	Present Levels of Educational Performance (Name has changed to Present Levels of Academic Achievement and Functional Performance)
Project SPOT	Supporting Program Outcomes and Teachers (KSDE Project)
Project STAY	Supporting Teachers and Youth (KSDE Project)
PTA	Parent Teacher Association
RBSD	Results Based Staff Development
RTI	Response to Intervention
SEAC	Special Education Advisory Council
SEAMIS	State Education Agency Management Information System
SIG	State Improvement Grant
SIT	Student Improvement Teams
SPP	State Performance Plan
SWD	Students with Disabilities
TA	Technical Assistance
TBI	Traumatic Brain Injury

Overview of the Kansas State Performance Plan

This overview provides information about the required components of stakeholder involvement, stakeholder membership, and public dissemination activities. Additional information is included about the Kansas State Department of Education's process for accountability, monitoring, and technical assistance and data sources.

Stakeholder Involvement

At the July 2005 Leadership Conference, Kansas State Department of Education (KSDE) shared information about the State Performance Plan (SPP) with special education administrators. They were asked to provide input about how data could be collected for new indicators.

For the large stakeholder meeting held on September 13, 2005, the Special Education Advisory Council (SEAC) and the KSDE invited 132 individuals/organizations to provide input about the SPP. Eighty (80) individuals participated. They represented individuals with disabilities, parents, parent advocacy organizations for special education, Parent-Teacher Association, Kansas school boards, general education administrators at the district and building levels, general education teachers, special education administrators, special education teachers, related service providers, KSDE consultants for Title I and school accreditation, foster care agency, mental health, Juvenile Justice Authority, independent living centers, private schools, charter schools, early childhood associations, Kansas Council for Developmental Disabilities, Kansas Disability Resource Center (Advocacy & Protection), and institutions of higher education. The SEAC hosted the meeting, shared in the facilitation of small group discussion sessions, and served as note takers. The objectives for this large stakeholder meeting were:

1. Establish targets for indicators,
2. Ensure stakeholder understanding of the new indicators and provide feedback about the proposed data collection procedures, and
3. By indicator, brainstorm potential successful strategies for improvements in Kansas.

In addition, small work groups supported the development of the State Performance Plan. The Post-School Outcomes (PSO) group attended the National Transition Summit and met to develop a plan for post-school outcomes data collection. An early childhood group met to discuss early childhood outcomes, develop the plan to collect Kansas data, and provide appropriate training. Finally a small group of parent advocacy organizations (Parent Training, NCLB, PTA) met to review the parent survey and ensure alignment with the KSBE approved PTA Parent Involvement Standards.

On November 9, 2005, the Special Education Advisory Council used three-fourths of their meeting (four hours) to discuss the State Performance Plan and related issues such as the OSEP response letter to the Annual Performance Report submitted in March 2005 and the Focused Assistance and Monitoring system that is aligned with the SPP indicators. The objectives for the SPP follow-up session were:

1. Ensure the document, as written, respects stakeholder input provided on September 13.
2. Provide feedback to these questions,
 - Will the proposed activities result in improvement?
 - Are the plans for collection of data for the new indicators reasonable?
 - Will the new data collections provide useful information to the state and to districts for improvement planning?
 - Is the document written so the public can understand the information provided?

KSDE staff and KSTARS project staff reviewed the SPP in relation to OSEP bottom line and review documents.

Public Dissemination

Public dissemination is occurring in multiple ways. The State Performance Plan (SPP) will be available on the www.kansped.org website. The document will be available in whole and the indicators will be available topically (general supervision, LRE, achievement, graduation/dropout,

suspension/expulsion, disproportionality). The district-level data will be available by indicator on the www.kansped.org website.

Information is being disseminated to a variety of listservs to ensure public awareness of the availability of data and the SPP document. Listservs include parent advocacy listservs for parents, organizational listservs, project listservs, and KSDE listservs for principals, superintendents, and spedexpress (special education community, including special education advocates and special education administrators).

KSDE distributes an Education Matters electronic newsletter in which the SPP and data availability will be announced. The complete SPP document and data lists will be provided to special education administrators. The Special Education Advisory Council will review the SPP and APR yearly. Reports will be made to the Kansas Association of Special Education Administrators and family advocacy organizations. In addition, the Office of the Commissioner of Education will be provided a copy of the information for the Kansas State Board of Education.

Kansas System for Capacity Building and Accountability

The Kansas State Department of Education (KSDE) has chosen to provide additional information in the overview that will help the reader more fully understand the discussion within the indicator reports. This overview will provide the reader with knowledge about the Kansas system and will serve as a reference to the reader while studying the indicators. It is important to begin the discussion with how special education fits into the overall school improvement, technical assistance, and accountability system for the state of Kansas.

KSDE Framework

The Learning Service Division (LSD) of the KSDE developed a framework for implementing assistance to schools and allocating human resources and time in 2004-05. The framework requires an integration of resources across teams and also applies to the work within individual teams. All teams of the Learning Service Division are involved in the integrated work. Teams include special education, accreditation, research and planning, and state and federal programs (includes Title programs). The framework is a three-level model, similar to the Three-Tiered Model of Intervention and Positive Behavior Support. The framework provides guidance to the KSDE work and allocates KSDE human resources to districts based on their needs. Districts will receive support at each level but the support will vary among levels. Districts identified for the most directive KSDE intervention, will be supported within Level 3 of the following framework, regardless of the areas of concern—accreditation, NCLB, or special education. Districts identified for intensive intervention (Level 3) through NCLB, special education and/or the state accreditation system, will be required to consider data from all sources.

Table O.1 KSDE Framework for District Assistance

Level	Districts	KSDE Resources
1	<ul style="list-style-type: none"> All Districts 	<ul style="list-style-type: none"> Written material about the improvement process Tools for improvement process Information about research-based practices Invited to attend regional trainings provided to support improvement efforts
2	<ul style="list-style-type: none"> Districts that are not meeting requirements: special education, accreditation, or NCLB 	<ul style="list-style-type: none"> Encouraged to attend regional trainings Guidance for systemic review of issues with minimal monitoring or follow-through Encouragement to analyze data, understand the issues, and study research-based practices Help to locate technical assistance providers

3	<ul style="list-style-type: none"> • Districts not meeting requirements for two years and considered on improvement through accreditation, NCLB or special education • Districts meeting criteria and/or volunteering to participate in State Improvement Grant (SIG) Activities 	<ul style="list-style-type: none"> • District Support Team (DST) assigned to the districts. DST members are from special education, Title programs and school accreditation. • DSTs facilitate (as needed) data-influenced dialogues through the use of KSDE tools and process • KSDE establishes timelines for development of district action plan • DSTs work with district to ensure quality data analysis occurred and identified strategies are research based • DSTs facilitate (as needed) district monitoring for implementation and results • DSTs periodically review with districts
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State Special Education Activities

Although the work of special education is aligned and integrated within the overall KSDE school improvement and accountability process, KSDE will provide an explanation of the special education process in more detail. This explanation will address state activities and expectations from these perspectives: process used in FFY 2004 and the process beginning in FFY 2005, Focused Assistance and Monitoring, including Process Review, Outcomes Review, and State Guidance.

Monitoring Activities during the 2004-05 school year (FFY 2004)

Kansas utilized several methods for reviewing process compliance: LEA applications, stakeholder involvement, dispute resolution processes, state and federal funds audit reviews, 618 data verifications, and a five-year monitoring process that included student file reviews and district self-assessments. Kansas LEAs provide several IDEA compliance assurances in their applications for VI-B funds. Kansas has a strong dispute resolution process with built-in appeals for formal complaints and due process hearings. Mediation is a part of the system also. KSDE maintains a toll-free telephone line so parents can call the state department to discuss their concerns and compliance issues. If potential compliance issues are discussed with parents or others, the KSDE consultants follow up with the school district. KSDE's Fiscal Auditing department completes financial audits of LEAs every year. They monitor the accuracy of information submitted for teaching staff and federal and state funds.

During the last five years, with the year 2004-05 being the last year, Kansas has spent considerable time and resources in ensuring every district completed a thorough compliance review and self-assessment process. As a part of Continuous Improvement Monitoring (CIM), based on a predetermined cycle, extensive file reviews were completed at the LEA level on student and LEA files. Districts reported improvement data yearly. Additional information about the Kansas CIM process is available on the www.kansped.org website.

During the final year (FFY 2004) of the CIM process, every district was required to complete a file review of files that had findings during their original CIM file review. In March 2005 every district submitted data and assurance to the KSDE that findings were corrected. KSDE is in the process of completing random reviews of these files to verify compliance. Districts that had areas to improve, although not non-compliant, will continue to address the CIM issues through the Continuous Improvement Application (CIA) grant process.

Focused Assistance and Monitoring beginning FFY 2005

Beginning in 2005-06 (FFY 2005), Kansas implemented a Focused Assistance and Monitoring (FAM) system. Information about the process is included for the FFY 2004 State Performance Plan so stakeholders understand how data reported in this plan is being addressed. FAM is a six-year process in which district-level data and progress are reviewed annually.

During the last two years, KSDE developed a stronger method of identifying and addressing noncompliance in a continuous improvement model. As Kansas completed the five-year CIM process (June 2005), stricter standards for noncompliance were articulated. As KSDE moved into the FAM process in 2005-06, it was critical that KSDE adjusted expectations for performance indicators. KSDE

has set higher standards for districts in determining if there are policies, procedures or practices contributing to the performance data. If inappropriate policies, procedures and/or practices are identified, then it becomes a compliance issue for revision. KSDE will provide additional guidance about the review of policies, procedures, and practices for performance indicators. Agencies will be required to identify concerns and develop plans to address them. KSDE will maintain data about these reviews, needed corrections, and improvement plans. Assistance, enforcements and sanctions will be utilized as necessary.

Continuous Improvement Applications (CIA) and plans will be submitted by the special education agencies in Spring, 2006. These will provide KSDE the agency-level data about revisions needed in policies, procedures and/or practices for these performance indicators. KSDE will use the information to determine compliance.

Process Review

Kansas has several methods for reviewing process compliance: LEA applications, dispute resolution processes, state and federal funds audit reviews, 618 data verifications, and 6-year monitoring activities. Most processes remain the same as previously discussed, except the monitoring process now covers six years and resolution sessions were added prior to due process hearings.

From the result of data collected for every district in Kansas during the five-year CIM process, KSDE identified potential systemic compliance issues with findings that will consistently be reviewed during the next six years as stratified, random sampling of student file reviews are completed. In addition, the file reviews are customized to the district so assurances for correction will be verified. The third part of the process involves a verification of 618 data submitted to the KSDE. At the student level, all findings are corrected immediately. Systemic issues must be corrected within one year. In FFY 2005 districts selected for review were those that had completed the CIM self-assessment in year one of the CIM process. For the remaining five years, district selection is yet to be determined. Every Kansas district will have a file review at least one time during this six-year FAM process.

Outcomes Review

The KSDE framework described in Table O.1, is the framework for focusing technical assistance and imposed requirements through the special education Focused Assistance and Monitoring (FAM) process. This process replaces the CIM self-assessment. Kansas has identified seven State Performance Plan (SPP) indicators that will serve as the funnel for all SPP indicators in districts improvement planning process. These indicators are referred to as the FAM indicators.

As can be seen in Table O.2, the SPP indicators are interrelated. The system will support districts' consideration of all SPP indicators in their improvement planning in the FAM process.

Table O.2 FAM and the OSEP SPP Indicators

FAM	SPP Indicators	SPP Indicator Drill Down
1. Graduation	1	2, 3, 4, 5, 8, 9, 10, 13, 14, 20
2. Disproportionality	9, 10	1, 2, 3, 4, 5, 7, 8,13, 14, 20
3. Reading Achievement	3	1,2, 4,5,6,7,8, 9, 10, 13,14, 20
4. Math Achievement	3	1,2, 4,5,6,7, 8, 9, 10, 13,14, 20
5. EC LRE	6	7, 8, 9, 10, 20
6. LRE <20% outside general education	5	5B, 3, 6,7,8, 9,10, 20
7. Separate Facilities	5	5B, 1,2,3,6,7, 8, 9,10, 20
FAM File Review	11, 12, 20	
State Review	15, 16, 17, 18, 19	

State Technical Assistance

Guidance Documents

The KSDE continues to develop guidance documents to assist districts in implementing IDEA 2004 and state special education statutes. In most cases, these documents will have an improved results focus. These documents include FAM guidance and tools, the Special Education Process Handbook, Guide to Special Education for Parents, and guideline documents in the areas of speech-language services, Occupational Therapy/Physical Therapy, Early Childhood Special Education, etc.

Technical Assistance and District Requirements

In FFY 2005 KSDE initiated the six-year FAM process. As mentioned previously, Table O-1 provides the framework for focusing technical assistance and imposed requirements through the special education Focused Assistance and Monitoring process. Below are the specific district requirements and KSDE response/intervention.

Table O.3 FAM District Requirements and KSDE Response/Intervention

Level	Districts	District Requirements	KSDE Response/Intervention
1	Districts with 0-1 FAM indicator with "flagged" data	<ul style="list-style-type: none"> • For the CIA process, district "flagged" data should be checked for accuracy and evaluated; CIA improvement plan will address if necessary • District will review data for remaining SPP indicators and address as appropriate in the CIA. • District will identify best practices to incorporate into their process if they chose to include in the CIA • If disproportionality is "flagged," district must complete KSDE drill-down process and implement changes as necessary; determine use of VI-B funds for early intervening services • District may submit justification to KSDE if they believe the "flagged" data should not be considered "below target." 	<p>These resources are available to all districts:</p> <ul style="list-style-type: none"> • Written Material about the improvement process • Tools for improvement process • Root cause analysis drill down for indicators • Information about research-based practices • Guideline documents • Invited to attend regional trainings

Level	Districts	District Requirements	KSDE Response/Intervention
2	Districts with 2-5 "flagged" indicators	<ul style="list-style-type: none"> • For the CIA process, district "flagged" data will be checked for accuracy and evaluated; CIA improvement plan will address if necessary • District may submit justification to KSDE if they believe the "flagged" data should not be considered "below target." • District will review data for remaining SPP indicators and address as appropriate in the CIA • On some indicators the district may be determined to be noncompliant with IDEA 2004 and state requirements. If so then see enforcement actions below • If disproportionality is "flagged," district must complete KSDE drill-down process and implement changes as necessary; determine use of VI-B funds 	<p>KSDE will</p> <ul style="list-style-type: none"> • Encourage district leadership to attend regional trainings • Provide guidance for systemic review of issues with minimal monitoring or follow-through • Encourage analysis of data, clarification of issues, and study research-based practices • Help locate technical assistance providers
2 On Watch	Districts with 5-7 "flagged" indicators in 2005-06 and in 2006-07 and after — Districts with indicators confirmed below target for a year.	<ul style="list-style-type: none"> • Having "flagged" data for 5-7 indicators, requires a district to check the accuracy of their data submitted to KSDE and provide justification if they believe data should not be considered "below target" • For the CIA process, district "flagged" data will be evaluated and improvement plan will address if necessary • District will review data for remaining SPP indicators and address as appropriate • If disproportionality is "flagged," district must complete KSDE drill-down process and implement changes as necessary; determine use of VI-B funds for early intervening services • On some indicators the district may be determined to be noncompliant with IDEA 2004 and state requirements. If so then see enforcement actions below • Participation in training 	<ul style="list-style-type: none"> • Provide regional trainings designed for this group of districts to address the indicators of concern. The trainings include the KSDE improvement process that requires data analysis, identification of peer reviewed strategies for improvement, and assistance in understanding monitoring for implementation • As requested, special education consultants and technical assistance contractors (KSTARS) will assist these districts with their improvement efforts. • After the analysis of data, KSDE staff will determine if there is noncompliance with IDEA 2004 and state requirements

Level	Districts	District Requirements	KSDE Response/Intervention
3	Districts with 5-7 indicators below target for a year	<ul style="list-style-type: none"> • Review of data will be at the district level, not interlocal/cooperative level and should include general ed and special ed staff • Districts will be required to use the KSDE improvement process to develop District Action Plans to address the indicators with data below target • On some SPP/FAM indicators the district may be determined to be noncompliant with IDEA 2004 and state requirements. If so then see enforcement actions below • If disproportionality is “flagged,” district must complete KSDE drill-down process and implement changes as necessary; determine use of VI-B funds for early intervening services • Participation in training • District will complete CIA to systemically address district issues related to FAM/SPP indicators 	<ul style="list-style-type: none"> • Focus on capacity building • Assign District Support Teams (DST) to the districts. DST members are from special education, Title programs and school accreditation. • DSTs facilitate (as needed) improvement process discussions and use of KSDE tools • KSDE establishes timelines for development of district action plan • DSTs work with district to ensure quality data analysis occurred and identified strategies are research based • DSTs facilitate (as needed) district monitoring for implementation and results • DSTs periodically review with districts • KSTARS will give priority to these districts

Districts will be required to consider their special education, NCLB, and school accreditation data in planning for improvement. They will be required to develop one district action plan that directs the districts’ focus to the most critical elements impacting data resulting in “on improvement” status. Results-based staff development and scientifically-based research practices or peer-reviewed strategies must be used in the districts’ improvement efforts.

KSDE has implemented a statewide special education technical assistance network of projects known as the Kansas Statewide Technical Assistance Resource System (KSTARS). There are eight projects in the system that address critical personnel development needs in Kansas.

1. Kansas Inservice and Training System (KITS) is focused on early childhood issues with particular attention to LRE, transition, and outcomes.
2. The Recruitment & Retention Project is focused on special education recruitment and retention activities, including the online Kansas Education Employment Board.
3. Kansas Instructional Resource Center (KIRC) provides resources, Braille, and large-print books for students who are visually impaired and training for teachers of visual impairment.
4. Kansas Instructional Support Network (KISN) provides improvement planning technical assistance within the Three-Tiered Model of intervention (RtI), research-based instructional strategies, and early intervening services. The project provides specialized technical assistance in the areas of autism, TBI and ADHD. The project is developing and implementing training modules to support Autism Specialists across the state.
5. Project STAY (Supporting Teachers and Youth) is focused on supporting administrators in effectively dealing with student behavior, providing ongoing support for behavioral analysis, and case-specific consultation.
6. Inclusive Network of Kansas (INKS) builds district capacity by assisting staff in understanding the state assessment system and supporting the learning needs of students with functional curriculum needs (students with significant disabilities and deaf/blindness).
7. Student Data and Compliance Assistance is involved with the development and maintenance of the technological infrastructure to support data collection, storage and use. Project staff facilitates

the collaborative efforts of the KSTARS network and assists KSDE with document development. This includes providing guidance in the use of alternative delivery methods for training.

8. Project SPOT (Supporting Program Outcomes and Teachers) provides statewide regional trainings in the areas of IEPs, evaluations, improvement planning, and research-based reading and math strategies. Project staff works with the KSDE in the development of the FAM process, FAM guidance documents and tools, FAM training, and development of the state assessment system.

In addition KSDE funds additional projects that provide critical support to Kansas districts.

- The Kansas Infinitic Consortium is currently developing a self-supporting consortium of districts to provide assistive technology for students and training for teachers.
- KSDE supports two interpreter projects. One is an assessment consortium and the other supports interpreters on the job.
- KSDE co-funds the Interagency Coordinating Council in cooperation with the Kansas Department of Health and Environment, Part C lead agency.
- Every special education agency is eligible for KSDE Continuous Improvement Application funds that support their improvement efforts.
- KSDE funds four Leading Edge grants to support innovation (July 2001 to June 2006).
- KSDE provides multiple small awards to organizations for work aligned with KSDE goals.

KSDE also has secured additional federal funds to assist with Kansas improvement efforts. The Kansas Project for Children and Young Adults Who are Deaf-Blind provides in-depth training and support for educators and families. The OSEP funded State Improvement Grant provides additional resources for districts working to improve academic results for students with disabilities within school improvement efforts. It also provides resources for institutes of higher education to strengthen teacher preparation programs. KSDE has secured OSEP funded General Supervision Enhancement Grants to strengthen the infrastructure of the state data systems. KSDE has a Reading First grant and other grant resources.

Enforcement and Sanctions

For many years KSDE has had enforcement actions and sanctions in place that have been used for noncompliance. For a thorough review of these practices, refer to the 2002 Kansas Self-Assessment. Beginning with the baseline data provided in this State Performance Plan, KSDE's enforcement plan includes the following:

1. Data that are below criteria on the FAM and additional SPP indicators will be considered "flagged" data.
2. Districts will review their data for accuracy.
3. Data that have been verified as accurate but below criteria/target, will need to be addressed in the district/interlocal improvement plan written for the Continuous Improvement Application (CIA) funds in Spring 2006.
4. Disproportionality will require a complete "drill-down" and determination of appropriate or inappropriate identification procedures by July 1, 2006.
5. Districts with disproportionate data as a result of inappropriate identification will write an improvement plan and, as stipulated in IDEA 2004, commit 15% of their federal VI-B flow-through funds to provide early intervening services as approved by KSDE.
6. Within one year, districts will rectify inappropriate policies, procedures, and practices that result in inappropriate identification of students for special education.
7. Districts that have five or more FAM indicators "flagged" will complete the steps as outlined. If data are still below criteria as reported in FFY 2006 (2006-07 school year), identified districts will attend trainings and receive technical assistance from the KSDE and KSTARS projects (Level 2)
8. If a district still has data below criteria for a second year, in FFY 2007 (2007-08), they will be considered on improvement (Level 3). Additional and more direct KSDE technical assistance will be provided through District Support Teams and KSTARS. Districts will complete an improvement process with the support of KSDE.
9. If a district remains "on improvement," the KSDE will provide more intensive support, monitor district implementation of their action plan more frequently, and require regular progress reports from the district.

10. KSDE maintains options for intervention, enforcement and sanctions.

Level 1 Sanctions

- If disproportionality exists as a result of inappropriate identification, LEA must address the issues and use 15% of its VI-B flow-through funds for early intervening services

Level 2 Sanctions

- KSDE direct use of discretionary federal funds (CIA) in targeted areas
- KSDE may impose special conditions
- If disproportionality exists as a result of inappropriate identification, LEA must address the issues and use 15% of its VI-B flow-through funds for early intervening services

Level 3 Sanctions

- KSDE will monitor implementation of corrective action plan and receive regular progress reports
- KSDE may withhold funds in accordance with Federal and State requirements
- KSDE may prohibit the use of Federal funds for Maintenance of Effort
- If disproportionality exists as a result of inappropriate identification, the LEA must address the issues and use 15% of its VI-B flow-through funds for early intervening services

Substantial Intervention: Regardless of a district’s level, at any time there is a substantial failure to comply with a requirement, substantial interventions may be imposed by KSDE, including recovery of funds, withholding funds, or referral to the Attorney General, in addition to sanctions listed above.

Data Sources

KSDE has in place multiple sources for collecting data for improvement planning and monitoring of progress. In addition, the need for additional data is putting a great strain on the system and the infrastructure must be expanded. To support the special education data management at the state level, KSDE hires 2 data managers, 2.5 data analysts, one programmer, and is in the process for hiring a second programmer. In addition KSDE contracts for programming, technical assistance for districts in their management of data, and state and district support.

Table O.4 KSDE Data Source

	Existing Sources	In Development	Planned
1	Special education Management Information System (MIS), LEA and state levels; 618 data tables	Web-based MIS system, LEA and state levels	
2		Student level data system for all Kansas students (KIDS) that will be integrated with the sped MIS and other data systems; KIDS and all data systems will include a unique student identifier number	
3	Web-based Building and District Reports submitted by districts	See #2	Reduce amount of information collected on aggregate reports since most of the information will be in the individual student database
4	Web-based LEA application	Web-based LEA application that uses the same platform as other systems	
5	Legal Requirements Database (LRD)		Legal Requirements Database that uses the same platform as other systems

	Existing Sources	In Development	Planned
6	Student-level state assessment database		Interface KIDS and special ed MIS
7	CIM Indicator database		FAM/SPP Indicator database with necessary reports
8		Application programs for collecting SPP data: early childhood outcomes, post-school outcomes, and parent surveys	
9		Discipline database and application program. Program is ready for launch with districts in 2006-07.	
10	Dispute resolution databases	Dispute resolution database that allows queries and reports	
11	Educational Advocate database	Improved Ed Advocate database	
12		Database to track technical assistance (TA) to districts by contracted TA providers (KSTARS)	Database to track technical assistance (TA) to districts by KSDE and KSTARS
13	Informal, time-intensive sharing of aggregate data across agencies		Interagency post-school data sharing infrastructure
14		Web-based Instructional Analysis Tools for Teachers, including strategies for intervention and progress monitoring	

SEA Resources

KSDE utilizes resources available from a variety of sources. The Mountain Plains Regional Resource Center provides valuable on-going services and technical assistance. KSDE has worked with the comprehensive resource center, McRel, in developing the framework for the agency work. Throughout the last year KSDE has received direct technical assistance from these OSEP funded centers: Access Center; National Dropout Prevention Center for Students with Disabilities; Early Childhood Outcomes Center (ECO); National Center for Culturally Responsive Educational Systems (NCCRESt); Westat's Technical Assistance in Data Collection, Analysis, and Report Preparation; National Early Childhood Technical Assistance Center (NECTAC); National Post-School Outcomes Center; National Center on Secondary Education and Transition (NCSET); Center for Improving Teacher Quality (CTQ); and Center on Positive Behavioral Interventions and Supports (PBIS) through KU and MPRRC. KSDE has used tools and information provided by National Center for Special Education Accountability Monitoring (NCSEAM), National Center on Educational Outcomes (NCEO), Consortium for Appropriate Dispute Resolution in Special Education (CADRE), and National Association of State Director of Special Education (NASDSE). KSDE will participate in the 2006 National Research Center on Learning Disability's (NRCLD) conference for State Education Agencies.

Summary

This overview is intended to provide the reader with knowledge about the Kansas State Department of Education's process for accountability and monitoring that are the backbone of ensuring compliance with IDEA 2004.

The State Performance Plan Indicator Reports follow. They have been written to provide the State's baseline data for SPP indicators, provide a plan for collecting data for new SPP indicators, provide update to the Annual Performance Report prepared in FFY 2003, and address issues stipulated in the OSEP APR response letter received October 18, 2005. Six-year targets and improvement activities have been identified for indicators with baseline data.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 1: Percent of youth with IEPs graduating from high school with a regular diploma compared to percent of all youth in the State graduating with a regular diploma.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

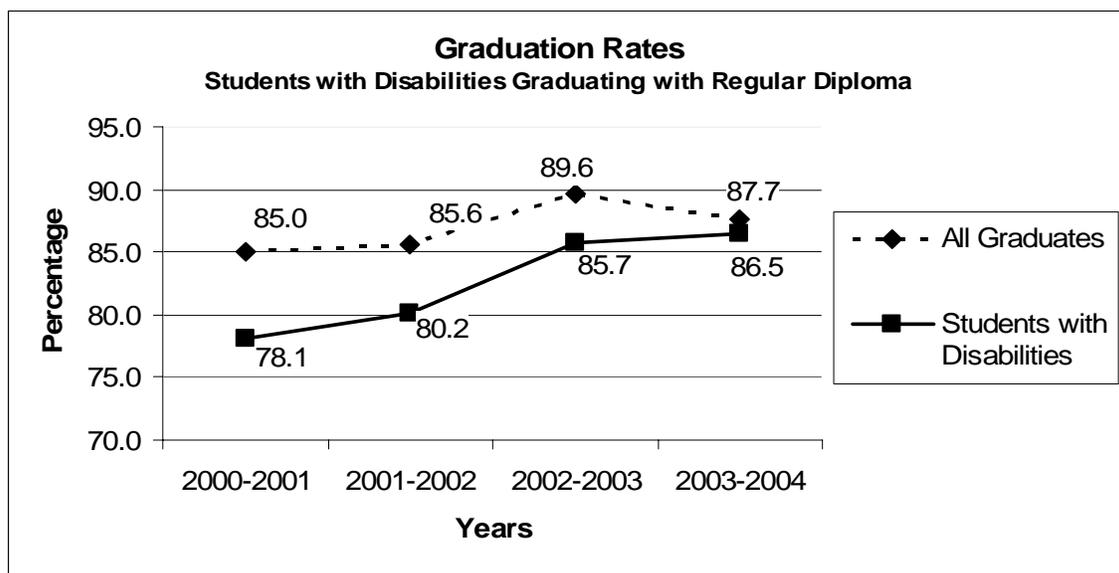
Measurement for graduation for youth with IEPs is the same measurement as for all youth. In Kansas, the measurement for all students is a cohort calculation figured as follows:

$$\frac{\text{Graduates} - (\text{retentions} + \text{non-regular diplomas})}{\text{Graduates} + \text{Year 1 dropouts} + \text{Year 2 dropouts} + \text{Year 3 dropouts} + \text{Year 4 dropouts}}$$

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on Graduation in response to indicator BF.II “The high school graduation and drop out rates for children with disabilities are comparable to graduation and dropout rates for nondisabled children.” The report indicated that that the graduation rate for students with disabilities and all students continues to increase. The gap between graduation rates of students with disabilities and all general education students continues to decrease indicating the graduation rates of students with disabilities is becoming more comparable to graduation rates of general education students. This trend is reflected in Figure 1.1.

Figure 1.1



The Kansas State Department of Education has established minimum graduation requirements for all pupils to receive a regular diploma. These requirements are the same for youth with IEPs. In July 2005 the graduation requirements were changed and will be applicable to all students graduating in FFY 2008 (May 2009) and after. Table 1.1 details the current requirement and the updated criteria for graduation.

Table 1.1: Graduation Requirements

For Graduates FFY 2004 – FFY 2007	For Graduate FFY 2008 and beyond
Overall 21 units of credit	same
4 units of English language arts	same
3 units of social studies (including 1 unit of United States history and ½ unit of United States government)	3 units of history/government (including world history, United States history, United States government, concepts of economics and geography, Kansas history and government)
2 units of mathematics	3 units of mathematics
2 units of science	3 units of science
1 unit of physical education	same
9 units of electives	6 units of electives
	1 unit of fine arts

The AYP graduation target for district level performance for all students and subgroups in Kansas has been set at 75%. This level has been consistently met for youth with IEPs by the majority of districts. In developing the FAM system, graduation was selected as one of seven performance indicators for districts. The FAM process is explained in the general overview for the SPP. Those districts not meeting the target of 75% of youth with IEPs graduating will develop improvement strategies and be targeted for assistance to improve their graduation rate.

Baseline Data for FFY 2004 (2004-2005):

Graduation data from districts for FFY 2004 is presented in Table 1.2 below. These data reflect the most current information available. It should be noted that two school districts (one large district and one very small district) have not yet reported their graduation data and/or errors in their data have been discovered. Therefore, their figures are not included in the calculations below. Updated data will be provided with the FFY 2005 APR, but overall graduation rate is not expected to change significantly.

For FFY 2004, the percent of youth with IEPs graduating from high school with a regular diploma was 86.7% as compared to 89.6% of all youth in the State graduating with a regular diploma.

Table 1.2 Graduation Data

	Graduates	Graduates - (retentions + non-regular diplomas)	Dropouts (Years 1-4)	Graduates + Dropouts	Graduation Rate
All Youth	29,471	29,081	3,036	32,453	89.6%
Youth with IEPs	3,128	3,092	438	3,566	86.7%

Discussion of Baseline Data:

The graduation rate for Kansas youth with IEPs has continued to improve. The baseline data show that the rate for youth with IEPs is very comparable to the rate of all youth in Kansas graduating with a regular diploma. Since the discrepancy occurs more at the district level than the state aggregate level, strategies for improvement will focus with districts needing to study issues and plan for improvement. There are 42 districts that have “flagged” data for the graduation FAM indicator and will begin their review of data in FFY 2005. It is important to note that the changes to graduation requirements for FFY 2008 may have an impact on graduation rates for all students including those students with IEPs. In addition, an improved data collection system is currently being developed for Kansas education. The new system, KIDS, will allow for individual student data collection and provide more accurate information on all students. This data system is expected to be available for reporting for FFY 2005. The targets below are based on the expected impact of improvement activities making gradual increases in the graduation rates for youth with IEPs with the above discussed changes taken into consideration.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By FFY 2005, the percent of youth with IEPs graduating from high school with a regular diploma will be maintained at 86.7% as compared to all youth in the State graduating with a regular diploma.
2006 (2006-2007)	By FFY 2006, the percent of youth with IEPs graduating from high school with a regular diploma will increase to 86.9% to advance toward matching the percent of all youth in the State graduating with a regular diploma.
2007 (2007-2008)	By FFY 2007, the percent of youth with IEPs graduating from high school with a regular diploma will increase to 87.1% to advance toward matching the percent of all youth in the State graduating with a regular diploma.
2008 (2008-2009)	By FFY 2008, the percent of youth with IEPs graduating from high school with a regular diploma will increase to 87.1% to advance toward matching the percent of all youth in the State graduating with a regular diploma.
2009 (2009-2010)	By FFY 2009, the percent of youth with IEPs graduating from high school with a regular diploma will increase to 87.3% to advance toward matching the percent of all youth in the State graduating with a regular diploma.
2010 (2010-2011)	By FFY 2010, the percent of youth with IEPs graduating from high school with a regular diploma will increase to 87.5% to advance toward matching the percent of all youth in the State graduating with a regular diploma.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Provide district level graduation rate for youth with IEPs to district administrators	X	X	X	X	X	X	KSDE staff Building principal reports
2. Target assistance for districts not meeting FAM graduation performance criteria		X	X	X	X	X	KSDE staff FAM guidance DST CIA
3. Systemic Problem Solving including Root Case Analysis Training for districts	X	X	X	X	X	X	Project SPOT
4. Regional Trainings for school improvement planning, implementation, and monitoring for progress	X	X	X	X	X	X	KISN DST KSDE staff
5. Monitor student records for compliance in graduation and transition planning	X	X	X	X	X	X	KISMSS FAM file review MIS verifications KSDE staff Transition Consultant
6. Provide guidance and training on effective transition planning	X	X	X	X	X	X	Project SPOT State Transition Consultant
7. Maintain compliance with Kansas transition law requiring transition planning to begin at age 14	X	X	X	X	X	X	KSDE staff KISMSS

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
8. Continue dialogue with National Dropout Prevention Center for Students with Disabilities to develop strategies to prevent dropouts	X	X	X	X	X	X	National Dropout Prevention Center for Students with Disabilities State Transition consultant
9. Adopt state level strategies and/or activities to increase graduation rates			X				KSDE staff National Dropout Prevention Center for Students with Disabilities MPRRC
10. Share among districts effective strategies from districts that have made a positive impact on graduation rates			X	X	X	X	KASEA KSDE staff DST
11. Provide technical assistance and training for districts and school personnel on issues for students with academic and behavioral concerns	X	X	X	X	X	X	Project STAY PBIS Center KISN District SIT teams MPRRC DST KSDE Behavioral Consultant
12. Provide training on high school reform models, and effective math and reading literacy instruction		X	X	X	X	X	DST Reading 1 st TA MPRRC
13. Promote development of methods to match student learning needs to alternative methods of instruction			X	X	X	X	Virtual Classes Online Instruction
14. Assist districts in understanding the interconnectedness of indicators and plan for improvement holistically	X	X	X	X	X	X	DST District Self-Assessment FAM guidance

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 2: Percent of youth with IEPs dropping out of high school compared to the percent of all youth in the State dropping out of high school.

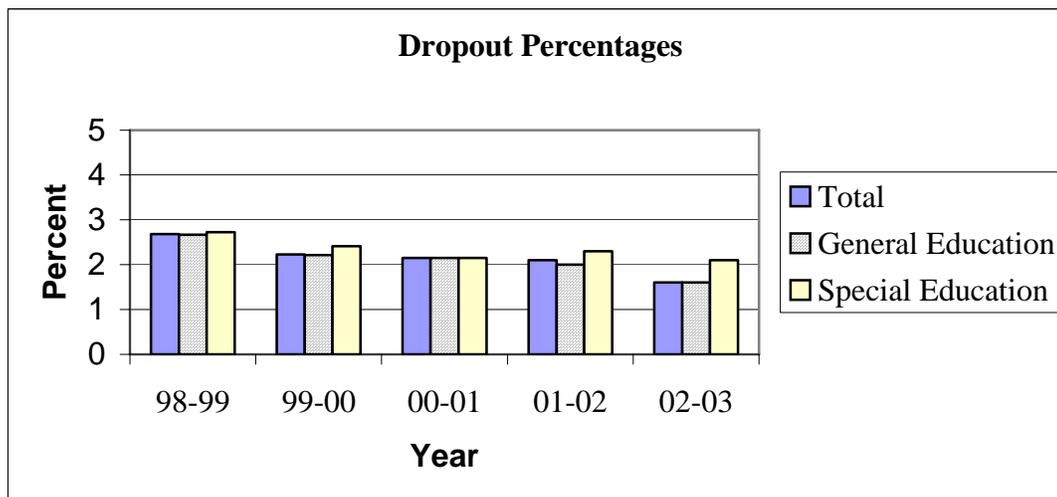
(20 U.S.C. 1416 (a)(3)(A))

Measurement: Measurement for youth with IEPs is the same measurement as for all youth. The calculation for Kansas is as follows: (# of dropouts 7-12 / total enrollment 7-12) multiplied by 100.

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school years on dropout rate in response to indicator BF.II. "The high school dropout rates, for children with disabilities, are comparable to dropout rates for nondisabled children." As a state, Kansas reported information regarding dropout rates.

Figure 2.1



These data indicated that the differences in dropout rates for students with and without disabilities are noticeable yet subtle. Updated data for the FFY 2004 shows that 13 LEAs/districts, or 18% of 71 special education agencies reported themselves as needing improvement on the CIM self-assessment. The remaining LEAs report themselves as meeting the requirement. All concerns are addressed with state targeted strategies through the FAM and CIA processes.

Kansas districts and the Kansas State Department of Education strive to meet the needs of all students. Each year there are reviews of graduation and dropout rates and identification of strategies to make improvements in both areas. In looking at previous data it appears that the graduation rate for students with disabilities has increased and the dropout rate for the same population of students has decreased. These results are encouraging yet the state still hopes to make improvements in both areas. Listed in Table 2.1 below is the definition and calculation of dropout rates for youth with IEP's and all youth.

Table 2.1 Kansas Definition and Calculation of Dropout Rates

Kansas Dropout Definition Overview	Calculation for dropout rates
Kansas calculates dropout rates by using an event calculation that measures the proportion of students who dropout in a single year.	
<p>A dropout is any individual who satisfies any one of the following criteria:</p> <ol style="list-style-type: none"> 1. was enrolled in school at some time during the previous school year and was not enrolled on October 1, or the current school year; or 2. was not enrolled on October 1, or the previous school year although expected to be in membership (i.e. was not reported as a dropout the year before); and 3. has not graduated from high school or completed a state- or district-approved education program, and 4. does not meet any of the following exclusionary conditions: <ol style="list-style-type: none"> a. transfer to another public school district, private school, or state- or district-approved education program, and b. temporary school-recognized absence due to suspension or illness, or c. death. <p>http://www.ksde.org/leaf/reports_and_publications/dropouts/dropouts.htm</p>	<p>General education = (# of dropouts in grades 7-12 divided by the total enrollment 7-12) multiplied by 100.</p> <p>Special education = (# of dropouts in grades 7-12 divided by number of students with disabilities grades 7-12)</p>

Dropout rates are calculated for grades 7 through 12. The following is the calculation for dropouts for youth with disabilities as well as youth without disabilities: (# of dropouts 7-12 / total enrollment 7-12) multiplied by 100.

Baseline Data for FFY 2004 (2004-2005):

Table 2.2 Dropout Rate Baseline for FFY 2004 (2004-2005)

	2002-2003	2003-2004	2004-2005
Total Dropouts for all students including SPED	1.6%	1.5%	1.4%
Dropouts for Students W/O Disabilities (Grade 7-12)	1.6%	1.5%	1.4%
Dropouts for Students with Disabilities (Grades 7-12)	2.1%	1.9%	1.5%

Discussion of Baseline Data:

Data presented reflects the most current information available. It should be noted that two school districts (one large district and one very small district) have not yet reported their dropout data and/or errors in their data have been discovered. Therefore, their figures are not included in the calculations. Updated data will be provided with the FFY 2005 APR, but overall dropout rate is not expected to change significantly.

In looking at the baseline data for students with disabilities and students without disabilities it is evident that the dropout rates for both groups are comparable and that the rate for both groups continues to decrease. Students with disabilities continue to have a higher rate of dropping out than their non-disabled peers, however, the difference is relatively small.

After further analysis of the state-level trend data for all students since 1997-98, it is apparent that there has been a steady decrease in dropouts for all students. With slight fluctuations in the overall percent of dropouts over the years, the dropout rate for students with and without disabilities continues to be very low in the state of Kansas, with both groups steadily maintaining dropout rates of approximately 2%.

It is important to consider that our measurable and rigorous targets do not change for the first two years. It is anticipated that the data may not reflect the changes in the systems or trainings until the systems have been in effect for a few years.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, the percent of youth with IEP's dropping out of high school in the state will be 1.5% and will be comparable to the percent of all youth.
2006 (2006-2007)	By 2006, the percent of youth with IEP's dropping out of high school in the state will be 1.5% and will be comparable to the percent of all youth.
2007 (2007-2008)	By 2007, the percent of youth with IEP's dropping out of high school in the state will be 1.46% and will be comparable to the percent of all youth.
2008 (2008-2009)	By 2008, the percent of youth with IEP's dropping out of high school in the state will be 1.42% and will be comparable to the percent of all youth.
2009 (2009-2010)	By 2009, the percent of youth with IEP's dropping out of high school in the state will be 1.38% and will be comparable to the percent of all youth.
2010 (2010-2011)	By 2010, the percent of youth with IEP's dropping out of high school in the state will be 1.34% and will be comparable to the percent of all youth.

Improvement Activities/Timelines/Resources:

In an effort to maintain dropout rates below 2%, the state of Kansas will remain aggressive in its attempts to identify high dropout rates for specific districts and specific groups of students. Specifically, the state of Kansas will focus on districts with flagged dropout data for students with and without disabilities and provide the necessary support by doing the activities outlined in the table below.

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Dropout will be one of the first "drill-down" activities under the state's FAM system for the graduation performance indicator	X	X	X	X	X	X	The KSDE FAM work group FAM tools and guidance DST National Dropout Prevention Center Framework
2. Disaggregate dropout data by disability and ethnicity		X					Building principal reports KIDS FAM "drill down" tools KSDE staff
3. Support the development of district improvement plans focusing on dropout prevention		X	X	X	X	X	DST National Dropout Prevention Center for Students with Disabilities CIA District Self-Assessment
4. Technical Assistance for district and building improvement teams which address issues for students with academic and behavioral concerns that may be at risk for dropping out.	X	X	X	X	X	X	Kansas Instructional Support Network PBIS Center/MPRRC National Dropout Prevention Center CIA
5. Continue dialogue with National Dropout Prevention Center for Students with Disabilities to develop strategies to prevent dropouts	X	X					National Dropout Prevention Center State Transition consultant The KSDE Education Program Consultants
6. Adopt state level strategies and/or activities to decrease dropout rates			X				The KSDE Education Program Consultants Guidance documents and tools National Dropout Prevention Center SEAC

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
							CIA MPRRC
7. Provide state adopted dropout prevention strategies/ activities to districts				X			National Dropout Prevention Center KSDE staff
8. Systemic problem solving including Root Cause Analysis Training for districts		X	X	X	X	X	Project SPOT CIA FAM guidance
9. Ensure districts consider the interconnectedness of indicator data as they study issues and plan for improvement	X	X	X	X	X	X	FAM guidance CIA Project SPOT

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 3: Participation and performance of children with disabilities on statewide assessments:

- A. Percent of districts meeting the State's AYP objectives for progress for disability subgroup.
- B. Participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards.
- C. Proficiency rate for children with IEPs against grade level standards and alternate achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

1. Percent = # of districts meeting the State's AYP objectives for progress for the disability subgroup (children with IEPs) divided by the total # of districts in the State times 100.
2. Participation rate =
 - a. # of children with IEPs in grades assessed;
 - b. # of children with IEPs in regular assessment with no accommodations (percent = b divided by a times 100);
 - c. # of children with IEPs in regular assessment with accommodations (percent = c divided by a times 100);
 - d. # of children with IEPs in alternate assessment against grade level standards (percent = d divided by a times 100); and
 - e. # of children with IEPs in alternate assessment against alternate achievement standards (percent = e divided by a times 100).

Account for any children included in a but not included in b, c, d, or e above

Overall Percent = $b + c + d + e$ divided by a.

3. Proficiency rate =
 - a. # of children with IEPs in grades assessed;
 - b. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with no accommodations (percent = b divided by a times 100);
 - c. # of children with IEPs in grades assessed who are proficient or above as measured by the regular assessment with accommodations (percent = c divided by a times 100);
 - d. # of children with IEPs in grades assessed who are proficient or above as measured by the alternate assessment against grade level standards (percent = d divided by a times 100); and
 - e. # of children with IEPs in grades assessed who are proficient or above as measured against alternate achievement standards (percent = e divided by a times 100).

Overall Percent = $b + c + d + e$ divided by a.

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on assessments in response to indicator BF.IV “The performance results for children with disabilities on large-scale assessments improve at a rate that decreases any gap between children with disabilities and their nondisabled peers”. Data presented showed that gains have been steady for both reading and math scores of students with disabilities. Across the three grades assessed, an overall 44.9% of students with disabilities scored proficient on state reading assessments and 46.3% scored proficient on state math assessments. Improvements at each grade level can be seen in Figures 3.1 and 3.2.

Figure 3.1

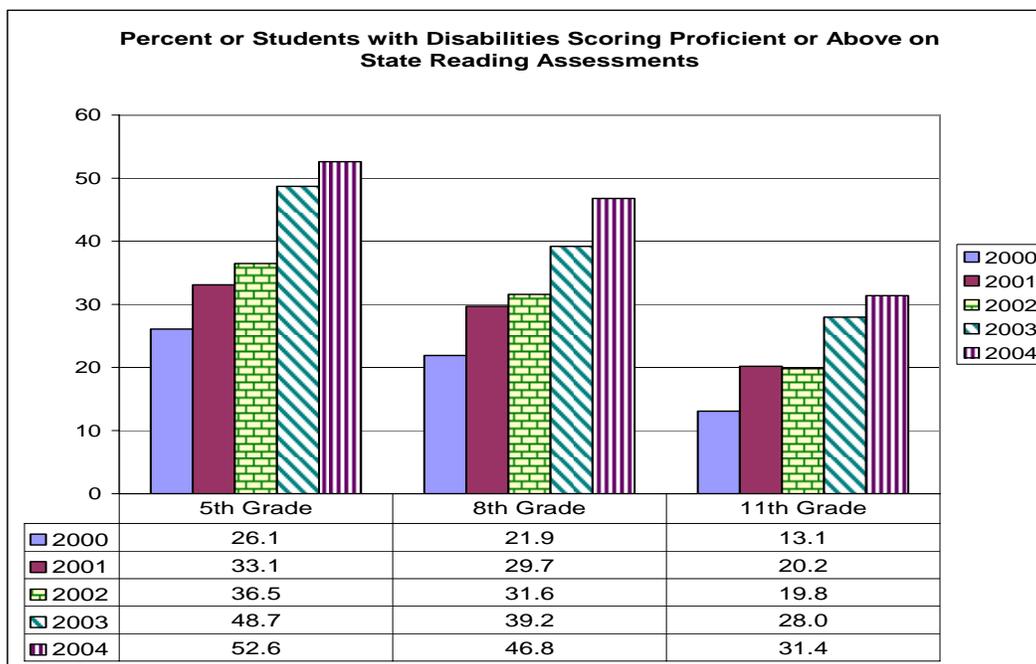
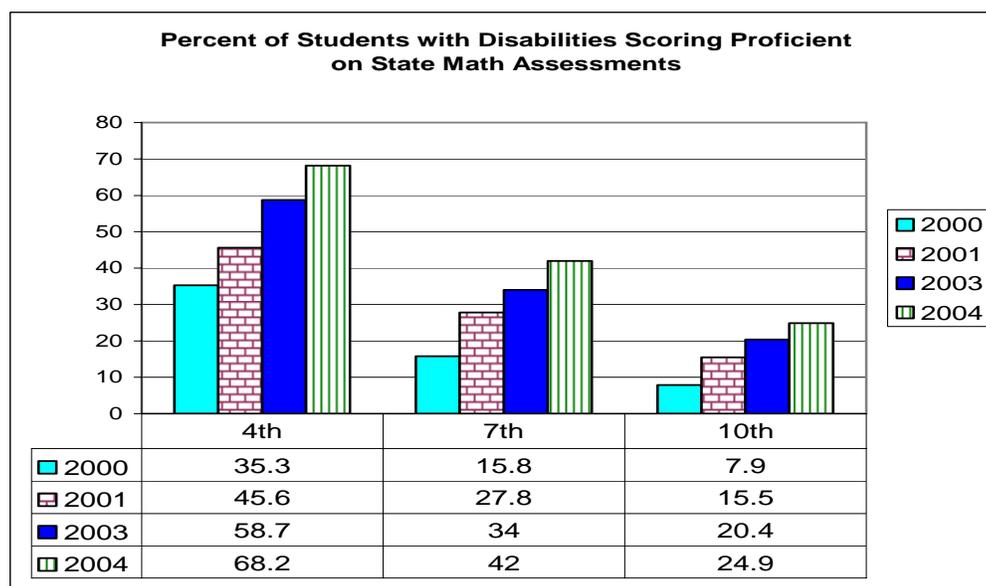


Figure 3.2



Kansas has a long history of being accountable for all students, which has been based on the belief that having high expectations means that children will learn more. Thus, students with disabilities in Kansas have participated in state assessments since the early 1990's. Data presented for FFY 2003 showed that 99.4% of students with disabilities in the grades assessed participated in the Kansas assessments. Less than ½ of one percent of the Kansas students taking state assessments took an alternate assessment scored against alternate achievement standards.

For FFY 2004, reading assessments occurred at grades 5, 8 and 11, and math assessments were administered to grades 4, 7, and 10. Special education students could be eligible for four assessment forms as determined by their IEP team based on the individual needs of the student. These were general assessment with or without accommodations, modified assessment, or alternate assessment (against extended standards). The alternate assessment was designed to be an integrated assessment given at ages 10, 13, and 16 rather than by subject at the above discussed grade levels. Kansas uses five performance categories to classify student scores on all assessments – Unsatisfactory, Basic, Proficient, Advanced, and Exemplary. Scores in the categories of Proficient, Advanced and Exemplary are combined in figuring the overall proficiency rate.

In FFY 2005, the assessment system in Kansas has changed in response to requirements of No Child Left Behind. This school year reading and math assessments will be given in the spring for grades 3-8 and one grade at high school based on revised standards. The five performance categories explained above remain the same. Special education students may still take general assessments with or without accommodations and have two other forms of assessments available as determined by their IEP team. The Kansas Assessment with Multiple Measures (KAMM) is replacing the modified assessment and is designed as an alternate assessment against grade level standards for those students who have a significant academic disability. The alternate assessment has also been revised based on updated extended standards that more fully align with general education academic grade level standards. Participation in the alternate assessment(s) is intended for a very small number of students with the most significant cognitive disabilities.

Baseline Data for FFY 2004 (2004-2005):

- A. The percent of districts meeting the State's AYP objectives for progress for the disability subgroup in reading and/or math was 83.3%.
- B. The participation rate for children with IEPs for all assessment types combined was 99.2%. See Table 3.1 below for participation rates in specific assessment types

Table 3.1 Participation Rates for Children with IEPs

a. # of children with IEPs in grades assessed	24,643**	
Assessment Type	Total #	Percent of SWD
b. Regular Assessment with no accommodations	7,103	28.8%
c. Regular with Accommodations	12,089	49.0%
d. Alternate Scored Against Grade Level (Modified)	5,054	20.5%
e. Alternate Assessment against alternate achievement standards	223*	0.9%

* The Alternate Assessment was designed as an integrated assessment given by age rather than by grade level, and therefore the number are not included in total # (a).

** Children included in (a), but not included in (b-e) include 203 students whose tests were incomplete, 7 students whose tests were considered invalid, and the remainder being students who were not tested due to extenuating circumstances such as illness.

- C. The proficiency rate for children with IEPs was 47.9% for reading and 48.9% for math. See Table 3.2 below for proficiency rates in specific assessment types.

Table 3.2: Proficiency Rate for Children with IEPs

a. # of children with IEPs in grades assessed	Reading 11,896		Math 12,747	
Assessment Type	Reading Total #	Reading Percent	Math Total #	Math Percent
b. Regular Assessment with no accommodations	1,246	10.5%	999	7.8%
c. Regular with Accommodations	2,211	18.6%	3,452	27.1%
d. Alternate Scored Against Grade Level (Modified)	2,093	17.6%	1,792	14.0%
e. Alternate Assessment against alternate achievement standards	159	1.3%	*	*
All Assessment Types	5,709	47.9%	6,243	48.9%

* The Alternate Assessment was designed as an integrated assessment rather than by subject area, and therefore, the scores are tabulated in only one subject area.

Discussion of Baseline Data:

- A. For AYP purposes, Kansas defined the group size (n) as 40 for students with disabilities for FFY 2003 and FFY 2004. A combined, duplicative total of 120 districts had subgroups in either reading and/or math meeting these criteria. Disaggregation of the above data by content area reveal 77.59% of 58 districts met AYP targets for reading assessments and 88.70% of 62 districts met AYP targets for math assessments. Two important changes this year will significantly impact future results. First, in response to NCLB requirements concerning the 2% cap for students scoring proficient on an alternate assessment against grade level standards, Kansas intends to reduce the subgroup size to 30 for students with disabilities from the current number of 40. Secondly, since a larger population of students will be assessed due to the inclusion of additional grade levels, the number of districts meeting the subgroup size requirement will increase. These changes may have a significant effect on the percent of districts meeting the State's AYP objectives for the disability subgroup on state assessments before improvements are made. In all likelihood, targets and improvement activities will need to be adjusted to reflect the impact of the changes in future years.
- B. The participation rate for students with disabilities has remained consistently high. The percent of students with disabilities not participating (less than 1%) is consistent with the percent of general education students not participating in the state of Kansas.
- C. The proficiency rate for children with IEPs has continued to improve. In FFY 2004, the State of Kansas met the AYP target in math for students with disabilities, but scored below the AYP target for reading. Therefore, in setting criteria for improvement, the SPP targets for math are the same as Kansas AYP targets for the FFYs 2005-2010. For reading, Kansas has aligned targets with meeting AYP safe harbor. In addition, the assessment changes noted above may impact data for FFY 2005 and beyond. These changes are especially important when analyzing performance data in the coming years for students with disabilities given the greatly revised format of the KAMM and alternate assessment.

FFY	Measurable and Rigorous Target
<p>2005 (2005-2006)</p>	<p>A. By 2005, the percent of districts meeting the State's AYP objectives for progress for the disability subgroup will increase to 83.7% for state assessments.</p> <p>B. By 2005, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will increase to 100%.</p> <p>C. By 2005, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 52.5% for reading assessments and 46.8% for math assessments.</p>
<p>2006 (2006-2007)</p>	<p>A. By 2006, the percent of districts meeting the State's AYP objectives for progress for the disability subgroup will increase to 84.2% for state assessments.</p> <p>B. By 2006, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will be 100%.</p> <p>C. By 2006, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 57.7% for reading assessments and 55.7% for math assessments.</p>
<p>2007 (2007-2008)</p>	<p>A. By 2007, the percent of districts meeting the State's AYP objectives for progress for the disability subgroup will increase to 84.6% for state assessments.</p> <p>B. By 2007, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will be 100%.</p> <p>C. By 2007, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 63.4% for reading assessments and 64.6% for math assessments.</p>
<p>2008 (2008-2009)</p>	<p>A. By 2008, the percent of districts meeting the State's AYP objectives for progress for disability subgroup will increase to 85.1% for state assessments.</p> <p>B. By 2008, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will be 100%.</p> <p>C. By 2008, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 69.7% for reading assessments and 70.5% for math assessments.</p>
<p>2009 (2009-2010)</p>	<p>A. By 2009, the percent of districts meeting the State's AYP objectives for progress for the disability subgroup will increase to 85.5% for state assessments,</p> <p>B. By 2009, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will be 100%.</p> <p>C. By 2009, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 76.6% for reading assessments and 76.4% for math assessments.</p>
<p>2010 (2010-2011)</p>	<p>A. By 2010, the percent of districts meeting the State's AYP objectives for progress for the disability subgroup will increase to 86.0% for state assessments.</p> <p>B. By 2010, the participation rate for children with IEPs in a regular assessment with no accommodations; regular assessment with accommodations; alternate assessment against grade level standards; alternate assessment against alternate achievement standards will be 100%.</p> <p>C. By 2010, the proficiency rate for children with IEPs against grade level standards and alternate achievement standards will increase to 83.5% for reading assessments and 82.3% for math assessments.</p>

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Provide district level assessment data for students with disabilities to district administrators	X	X	X	X	X	X	CETE data SSS staff
2. Target assistance and facilitate development of improvement plans for districts not meeting FAM and/or AYP assessment targets	X	X	X	X	X	X	FAM process KSDE staff KERC DST KSTARS
3. Implement IDEA 2004, including clarification and training on academic and functional outcomes	X	X	X	X	X	X	KSDE Staff Project SPOT
4. Develop a statewide infrastructure to support the effective use of assistive technology to improve academic and functional results for students, especially those considered to have "high incidence, low tech needs."	X	X					Kansas Infinetec Coalition Kansas school districts KU staff and doctorate students
5. Train district teams through week-long instruction on scientifically-based research reading instruction		X					Reading 1 st TA providers KSTARS staff
6. Train district teams through week-long instruction on quality reading instruction for struggling learners/ readers through use of a 3 tiered model of support within the regular classroom and school.			X				Reading 1 st TA providers KSTARS staff
7. Provide follow-up training to Reading 1 st project through ITV and regional trainings				X	X	X	Reading 1 st TA providers KSTARS staff
8. Identify and distribute effective strategies used in districts with high performing SWD on state assessments		X	X	X	X	X	KSDE staff KASEA DST KSTARS
9. Develop and distribute a guidance document on appropriate accommodations	X						KSDE staff Assessment committee
10. Disseminate information to districts on research-based literacy strategies in reading and math	X	X	X	X	X	X	Project SPOT DST KSDE staff KERC

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
11. Train district staff on IEPs linked to curriculum and progress monitoring	X	X	X	X	X	X	Project SPOT DST KSDE staff KISN
12. Provide Summer Academies that will support all educators in understanding and using the revised math and communication standards.	X	X	X	X	X	X	KSDE staff District level staff Kansas Content Area Teachers
13. Provide regional workshops on Extended Curriculum Standards, Alternate Assessment, and KAMM	X	X	X				INKS
14. Provide TA for individual student issues on alternate assessments	X	X	X				INKS
15. Refine CIA grant process to support district efforts in improving results for students with disabilities	X	X	X	X	X	X	CIA KSDE staff
16. Maintain and expand KERC website providing lessons tied to state math and reading standards	X	X	X	X	X	X	KSDE staff Kansas teachers
17. Provide "Literacy Quick Notes" to districts on strategies in effective instruction	X	X					KSTARS staff
18. Support pilot districts in implementing a 3-tiered model (RTI) focused on improving outcomes for students, especially SWD	X						KISN
19. Provide regional support/training to districts implementing the 3-tiered model (RTI) intervention		X	X	X			KISN Project SPOT INKS
20. Maintain and expand early literacy website for parents (www.readyforlearning.net)	X	X					KITS
21. Disseminate newly developed EC standards aligned with state curriculum standards	X	X					KITS KSDE staff
22. Work with other SEAs in learning communities to study effective SEA strategies for improving academic outcomes for SWD	X	X	X	X	X	X	Access Center MPRRC
23. Maintain connections and collaborate on resources with parental involvement agencies	X	X	X	X	X	X	Families Together K-PIRC KSDE staff

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
24. Distribute KLFA-developed CD on academic and instructional resources	X	X					KLFA KSDE staff
25. Support JJA efforts to align curriculum to state standards and provide appropriate individualized instruction	X	X					JJA KSDE staff
26. Assist districts in understanding the interconnectedness of indicators and plan for improvement holistically	X	X	X	X	X	X	DST District Self-Assessment FAM guidance

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 4: Rates of suspension and expulsion:

- A. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year; and
- B. Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Measurement:

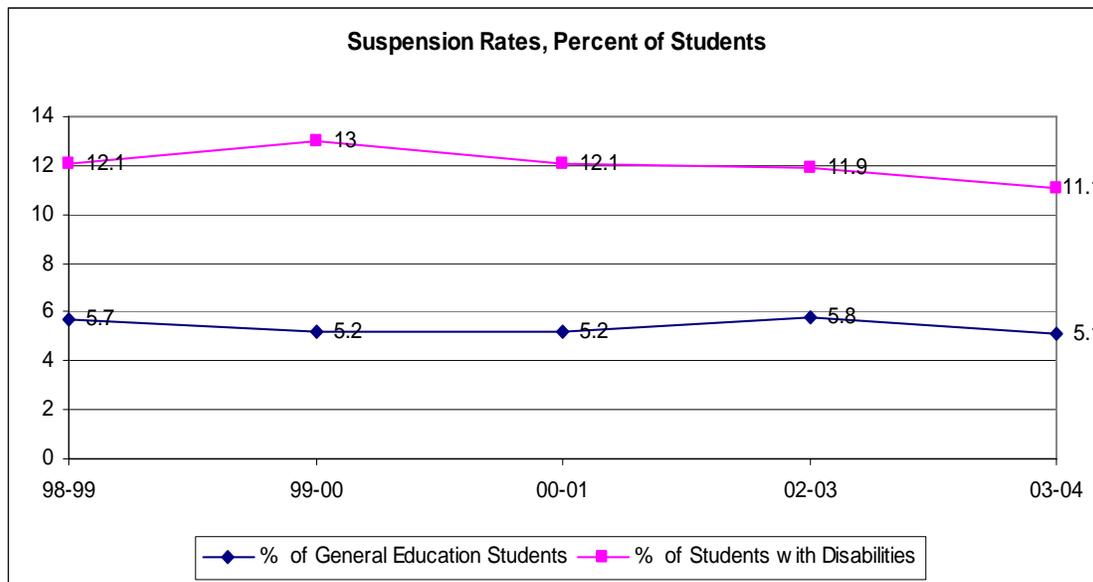
- A. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year divided by # of districts in the State times 100.
- B. Percent = # of districts identified by the State as having significant discrepancies in the rates of suspensions and expulsions for greater than 10 days in a school year of children with disabilities by race ethnicity divided by # of districts in the State times 100.

Kansas has defined “significant discrepancy” as any district that suspends 3% or more of its special education population more than 10 days.

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on suspensions and expulsions in response to indicator BF. III. “Suspension and expulsion rates for children with disabilities are comparable to the rates for nondisabled children within the agencies” As a state, Kansas reported the following information in regard to suspension/expulsion for FFY 2003:

Figure 4.1



It is important to note that the chart above and all data contained in the FFY 2003 APR represented all suspensions of students with disabilities and does not reflect the 10 day timeline requirement reflected in the current SPP indicator.

In response to OSEPs APR letter, Kansas has gathered additional information from the CIM self assessment to address issues of noncompliance. The CIM self-assessment indicated that in the first two years, 66% of districts identified rates of suspension/expulsion as an area needing improvement. Data reported in FFY 2003 indicated that 53% of LEAs identified suspension/expulsion as an area needing improvement. Updated data for the FFY 2004 show that 11 of 41 special education entities who identified suspension and expulsion as an area needing improvement, have since implemented strategies that have proven effective in addressing this issue. The 30 remaining LEA's, or 42%, that continue to identify suspension/expulsion as needing improvement will be required to continue to commit resources toward strategies for improvement through their Continuous Improvement Application, (CIA) by developing improvement plans that will continue to target areas needing improvement. LEAs identified as significantly discrepant will conduct a "drill down" including a review of policies, procedures, and practices relating to the development and implementation of individualized education programs (IEPs), the use of behavioral interventions, and procedural safeguards. In addition districts will be required to compare their data to the general education population and to respond to their data by providing strategies to make improvements.

If districts have data in the FFY 2004 APR report that is below criteria on the SPP suspension/expulsion indicator or have carry-over CIM "need improvement" or "noncompliance" status in the area of suspension/expulsion the following will be in effect:

2005-06

1. KSDE will develop tools for analyzing policies, procedures, and practices to determine compliance with the IDEA. These will be available to districts by February, 2006.
2. Districts will review policies, procedures, and practices relating to the development and implementation of IEPs, use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures, and practices comply with the IDEA and do not contribute to suspension/expulsion of students.
3. If revisions have already occurred or if revisions are not necessary, districts will document this in the 2006 CIA.
4. If there are compliance issues with policies, procedures and practices, districts will be required to include revision(s) in their 2006 CIA plan. Revisions must be completed by February 2007 which would be documented in the 2007 CIA.
5. Each year in the CIA, districts are required to demonstrate that improvements have been made in suspension/expulsion rates of students with disabilities.
6. If improvements are not made, KSDE has available interventions, enforcement, and sanction options.

Continuing After 2005-06:

1. Districts will review policies, procedures, and practices relating to the development and implementation of IEPs, use of behavioral interventions, and procedural safeguards, to ensure that these policies, procedures, and practices comply with the IDEA and do not contribute to suspension/expulsion of students.
2. If revisions have already occurred or if revisions are not necessary, districts will document this in the next CIA.
3. If there are compliance issues with policies, procedures and practices, districts will be required to include revision of them in their next CIA plan. Revisions must be completed within one year.
4. Each year in the CIA, districts are required to demonstrate that improvements have been made in suspension/expulsion rates of students with disabilities.
5. If improvements are not made, KSDE has available interventions, enforcement, and sanction options, as mentioned in the Overview of the Kansas State Performance Plan.

To continue to address suspension and expulsion concerns, the state of Kansas, with the help of a multi-member stakeholder group, defined more clearly significant discrepancy. With the changes for the State Performance Plan, Kansas is taking the opportunity to move away from inappropriate methods of

identifying discrepancy. Therefore, Kansas has defined significant discrepancy as any district that suspends 3% or more of its special education population more than 10 days. This definition will allow the state to focus closely on the districts in need of the most intensive support. It is important to note that districts will not be identified as noncompliant until policies, procedures, and/or practices have been determined to be contributing factors. The percent discrepant is determined by dividing the number of long-term suspensions by the number of students identified as disabled, 6-21 years of age.

For part B of this indicator, percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity, Kansas plans to collect these data by using the new KIDS database which will connect the MIS, KanDis, and building principals report databases. These new databases will provide information about ethnicity and disability category.

Baseline Data for FFY 2004 (2004-2005):

All data reported for this indicator come from Table 5, Section A, Columns 3A, 3B, and 3C, Report of Children with Disabilities Unilaterally Removed or Suspended/Expelled for More than 10 days of the Annual Report of Children Served.

Table 4.1 Suspension/Expulsion

Number of Districts in Kansas	Number of Districts Suspending/Expelling students with disabilities > 10 days	% of districts identified as significantly discrepant
301	57	1.99%
Total Suspensions or Expulsions > 10 days		
Unduplicated Count of Children	# of Single Suspensions/Expulsions > 10 days	# of Children with Multiple Suspensions/Expulsions Summing to > 10 days
479	65	414

- A. 1.99% of Kansas districts, or 6 districts, have been identified as having a significant discrepancy.
 B. New indicator – No baseline

Discussion of Baseline Data:

It is important to note that Kansas chose to look at this indicator by comparing among LEAs for children with disabilities in the state because Kansas does not currently have a data collection system that considers long-term suspensions for general education students. Baseline data are 618 MIS data. During baseline, Kansas had 301 districts. Of those 301, 57 reported suspension/expulsions greater than 10 days. Further analysis of the data for FFY 2004 using the updated discrepancy definition reveals that Kansas has identified 6 out of 301 school districts, or 1.99%, as having significantly discrepant data. It should be noted that 5 of the 6 significantly discrepant districts identified themselves on the CIM self-assessment as needing improvement in this area, thus these five have current strategies in place and resources are being committed to addressing this issue.

The analysis of suspension and expulsion data at the state level does not indicate a statewide systemic issue therefore the state needs to focus its efforts on supporting the districts with discrepant data. Districts will review and revise policies, procedures, and/or practices, identify improvement strategies, and report in the CIA document due spring 2006.

It is important to consider that our measurable and rigorous targets do not change for the first two years. It is anticipated that these data may not reflect the change in systems or trainings until the systems have been in effect for a few years. Additionally, the targets have been set according to 300 districts in the state. It is possible that over the course of the next six years the number of districts in the state will decline, thus altering our overall percent of districts who have been identified as having a significant discrepancy.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.99% .
2006 (2006-2007)	By 2006, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.99% .
2007 (2007-2008)	By 2007, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.79% .
2008 (2008-2009)	By 2008, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.59% .
2009 (2009-2010)	By 2009, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.40% .
2010 (2010-2011)	By 2010, the percentage of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year will be 1.20% .

Improvement Activities/Timelines/Resources:

In an effort to address the discrepant data reported in FFY 2003 APR and focus on the districts newly identified by our FFY 2004 definition of significantly discrepant, the state of Kansas has established strategies, presented evidence of change, and set targets and timelines designed to ensure correction of the noncompliance and improve performance in this area.

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Review policies, procedures and practices regarding behavioral interventions and provide strategies to address suspension and expulsion		X					KSDE SSS and RBSD CIA PBIS/MPRRC
2. Begin use of (KIDS) database for improved accuracy in data collection	X						SEAMIS data control manager The KSDE Research and Planning Team
3. Continue developing discipline database, KanDis, to disaggregate data by race, ethnicity and disability	X						MIS data Building principal reports KSDE Research and Planning Team
4. Begin use of KanDis to collect discipline data		X					KSDE Research and Planning Team District staff
5. Target assistance for districts with significant discrepancies in suspension/expulsion data to study district issues	X	X	X	X	X	X	LEAMIS data Building principals reports CIA Project STAY PBIS/MPRRC

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
6. Through a school improvement process assist the development of district improvement plans focusing on suspension and expulsion	X	X	X	X	X	X	DSTs CIA PBIS/MPRRC FAM guidance
7. Support districts with their improvement plan with SBR strategies and RBSD	X	X	X	X	X	X	DST District team members CIA Project STAY
8. Train DSTs in developing a knowledge base about the interconnectedness of behavior and learning	X	X	X	X	X	X	DSTs KSDE Education Program Consultants MPRRC TA plan PBIS Project STAY
9. Provide TA through trainings for dealing with behavior and academics through a three-tiered model	X	X					KISN Project STAY INKS
10. Provide TA through trainings for discipline strategies including assistance on positive behavior plans and case specific consultation	X	X	X	X	X	X	Project STAY PBIS KSDE behavioral consultant
11. Provide TA for principals working to improve management of student behavior	X						KSDE behavior consultant KISN Project STAY
12. Provide training on timely and accurate data reporting and analysis with other KSTARS projects	X	X	X	X	X	X	KSTARS Project STAY Project SPOT
13. Disseminate information on all trainings available	X	X	X	X	X	X	www.kansped.org Spedexpress listserv State consultants
14. Encourage districts to investigate PBIS as a strategy to use in schools with significant discrepancies	X	X	X	X	X	X	MPRRC TA plan National PBS TA centers, JGCP University of Kansas University of Oregon
15. Disseminate information to parents	X	X	X	X	X	X	Families Together Keys for Networking
16. Investigate research-based behavioral programs including those used by JJA		X	X				JJA SEAC Project STAY
17. Provide guidance document and training on effective management of behavior for general and special education teachers, including guidance on the appropriate use of seclusion	X	X	X				KSDE behavior consultant Seclusion work group PBIS partners MPRRC

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
18. Assist districts in understanding the interconnectedness of indicators and plan for improvement holistically	X	X	X	X	X	X	DST District Self-Assessment FAM guidance

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 5: Percent of children with IEPs aged 6 through 21:

- A. Removed from regular class less than 21% of the day;
- B. Removed from regular class greater than 60% of the day; or
- C. Served in public or private separate schools, residential placements, or homebound or hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Measurement:

- A. Percent = # of children with IEPs removed from regular class less than 21% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- B. Percent = # of children with IEPs removed from regular class greater than 60% of the day divided by the total # of students aged 6 through 21 with IEPs times 100.
- C. Percent = # of children with IEPs served in public or private separate schools, residential placements, or homebound or hospital placements divided by the total # of students aged 6 through 21 with IEPs times 100.

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on LRE placement in response to indicator BF.V “Children with disabilities, 6-21 years of age, are educated with nondisabled peers to the maximum extent appropriate.” The data revealed that the percentage of students with disabilities who are receiving services in the identified settings has remained relatively constant over several years in each of the placements as shown in figures 5.1, 5.2, and 5.3 below.

Figure 5.1

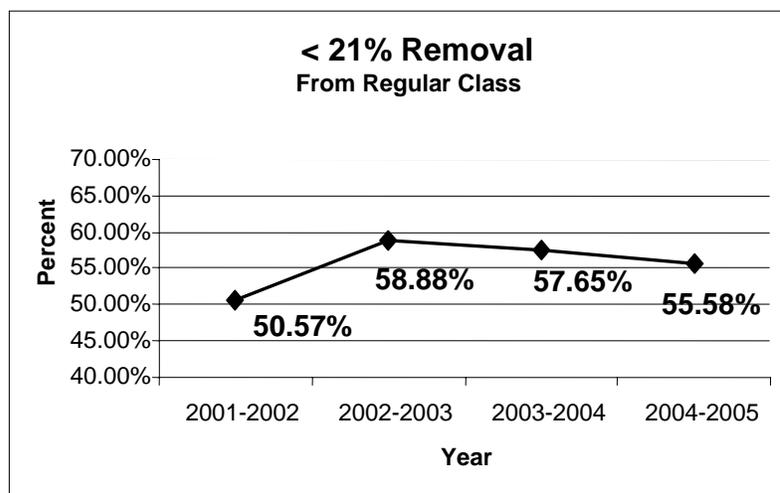


Figure 5.2

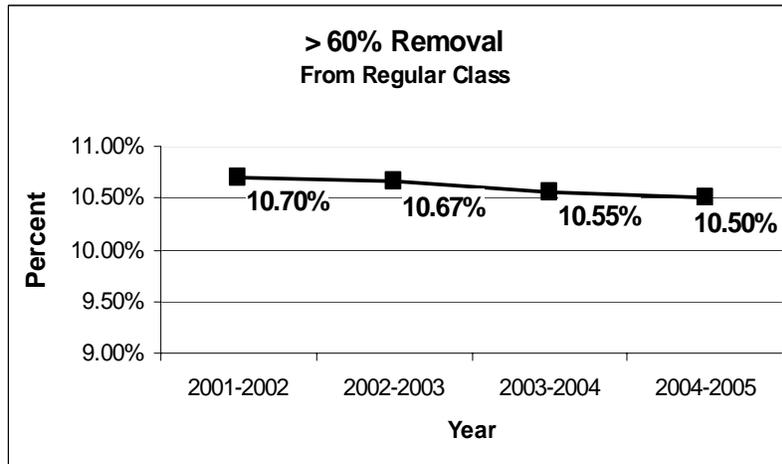
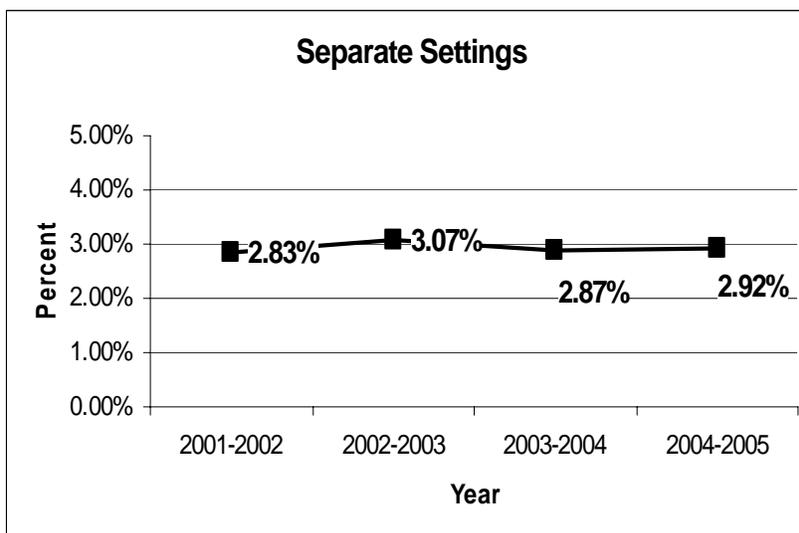


Figure 5.3



Placement data in Kansas is collected through the Management Information System (MIS) submitted by school districts to the Kansas State Department of Education Student Support Services. These 618 data are reported annually to OSEP and used to calculate the percentage of children in each category.

Baseline Data for FFY 2004 (2004-2005):

- A. For FFY 2004, 55.58% of students with disabilities, 6 - 21 years of age, were removed from the regular class less than 21% of the school day.
- B. For FFY 2004, **10.50%** of students with disabilities, 6 - 21 years of age, were removed from the regular class more than 60% of the school day.
- C. For FFY 2004, **2.92%** of students with disabilities, 6 - 21 years of age, were served in public or private separate schools, residential placements, or homebound or hospital placements.

See Table 5.1 below.

Table 5.1 Placement Data

	State Total	Removed Less than 21%	Removed More than 60%	Separate Setting
# of SWD	56,111	31,188	5,894	1,641
% in Setting		55.58%	10.50%	2.92%

Discussion of Baseline Data:

Kansas placement data have not shown significant variability in several years. Statewide data continues to reveal steady trends. A high percentage of students are served less than 21% of the class day outside of the regular class. The placement data reveals that the majority of students receive services with non-disabled peers. A long-standing commitment to educational settings that include all students has resulted in positive outcomes related to this indicator.

It is noted, however, that improvements can be made. District level data varies widely and therefore, LRE was selected as an area of focus in designing the FAM system that is explained in the overview of the SPP. Two placement settings, less than 21% and separate settings are performance indicators that districts will review annually. By targeting assistance to districts with poor data in these areas, the expectation is that overall LRE data in all placement settings will improve. The FFY 2005 target is to maintain current levels while improvement activities are implemented. These activities are expected to positively impact data beginning in FFY 2006 and continue gradual improvements in years ahead. It is important to note that the full continuum of placement options is respected. KSDE will provide support to district IEP teams in improving effective use of strategies and accommodations for students so that more can be educated in less restrictive environments. KSDE respects the IEP teams make LRE decisions. As district capacity increases to support students in less restrictive environments, IEP teams may reconsider decisions. The desired improvement levels are reflected in the targets below.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	<p>A. By FFY 2005, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 55.58%</p> <p>B. By FFY 2005, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 10.5%</p> <p>C. By FFY 2005, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 2.92%</p>
2006 (2006-2007)	<p>A. By FFY 2006, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 57.2%</p> <p>B. By FFY 2006, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 9.6%</p> <p>C. By FFY 2006, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 2.61%</p>
2007 (2007-2008)	<p>A. By FFY 2007, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 58.0%</p> <p>B. By FFY 2007, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 9.2%</p> <p>C. By FFY 2007, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 2.45%</p>
2008 (2008-2009)	<p>A. By FFY 2008, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 58.8%</p> <p>B. By FFY 2008, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 8.7%</p> <p>C. By FFY 2008, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 2.30%</p>

FFY	Measurable and Rigorous Target
2009 (2009-2010)	<p>A. By FFY 2009, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 59.5%</p> <p>B. By FFY 2009, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 8.2%</p> <p>C. By FFY 2009, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 2.14%</p>
2010 (2010-2011)	<p>A. By FFY 2010, the percent of children with IEPs aged 6 through 21 removed from the regular class less than 21% of the day will increase to 60.0%</p> <p>B. By FFY 2010, the percent of children with IEPs aged 6 through 21 removed from the regular class greater than 60% of the day will decrease to 8.0%</p> <p>C. By FFY 2010, the percent of children with IEPs aged 6 through 21 served in public or private schools, residential placements, or homebound or hospital placements will decrease to 1.98%</p>

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Provide district level LRE data for students with disabilities to district administrators	X	X	X	X	X	X	MIS data FAM KSDE staff
2. Target assistance and assist in development of improvement plans for districts not meeting FAM assessment indicator criteria	X	X	X	X	X	X	KSDE staff DST
3. Provide training of trainers to district personnel on making LRE decisions	X	X	X	X	X	X	Project SPOT
4. Regional Trainings for school improvement planning, implementation, and monitoring for progress	X	X	X	X	X	X	KISN DST KSDE staff
5. Train administrators on appropriate FBA and alternative schools use	X	X	X	X	X	X	Project STAY
6. Provide technical assistance on including students with severe disabilities in general education settings with their typical peers	X	X	X	X	X	X	INKS
7. Provide practicum mentorship on integrated settings during Summer Institutes for graduate students seeking Functional licensure.	X	X					INKS KLIPP grant
8. Train district personnel on accurate data entry of LRE information	X	X	X	X	X	X	KIDMSS Data Dictionary
9. Develop a statewide infrastructure to support the effective use of assistive technology to provide LRE access especially for students considered to have "high incidence, low tech needs."	X	X					Kansas Infnitec Coalition KU staff and doctorate students
10. Provide training of trainers to districts on differentiated instruction, universal design, and providing accommodations in regular education classroom		X	X	X	X	X	Project SPOT KISN

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
11. Assist districts in understanding the interconnectedness of indicators and plan for improvement holistically	X	X	X	X	X	X	DST District Self-Assessment FAM guidance

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 6: Percent of preschool children with IEPs who received special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

(20 U.S.C. 1416(a)(3)(A))

Measurement: Percent = # of preschool children with IEPs who received special education services in settings with typically developing peers divided by the total # of preschool children with IEPs times 100.

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report (APR), KSDE reported on the State's performance on Indicator BF V: Children with disabilities, 3-5 years of age, are educated with nondisabled peers to the maximum extent appropriate. Reported placement data in the 2003 APR was based on early childhood settings.

The current indicator (indicator #6 above) includes the previous placement setting, early childhood, and adds home and part-time early childhood/part-time early childhood special education settings. Using the expanded definition of placement settings, there was a significant (11.5%) increase in the number of preschool children with IEPs reported to receive special education and related services in settings with typically developing peers from FFY 2000 through FFY 2003 in Kansas while the number remained constant from FFY 2003 to 2004 (see Figure 6.1 below).

In FFY 2003, using the current indicator settings, a total of 42% of preschool children with IEPs received special education and related services in settings with typically developing peers compared to 53% nationally. There was a 9.3% gap between data from Kansas and national data.

Factors contributing to the data pattern include:

- KSDE clarifying early childhood placement definitions in the Kansas data dictionary in 2000 and subsequent years,
- KSDE training of MIS clerks and verification checks on MIS data entry,
- KSDE changing the Kansas Reimbursement Guide to resolve funding issues that were identified as barriers to serving preschool children with typically developing peers,
- KSDE requiring all LEAs in the CIM process to compare their data to the national rather than state data beginning in 2002-2003,
- LEAs including early childhood LRE in their self-improvement plans,
- KSDE and KSTARS projects providing technical assistance to LEAs,
- OSEP clarifying and expanding the definition of "settings with typically developing peers" to include part-time early childhood/part-time early childhood special education settings.

In the FFY 2003 APR, KSDE reported on plans to provide technical assistance to LEAs to improve their performance on this indicator. Currently KSDE and the Kansas Inservice Training System (KITS) have developed a process using a series of questions to guide LEAs through an examination of their policies, procedures and practices based on their 618 placement data. This process was piloted in FFY 2004 with five districts targeted as low performers on the preschool LRE indicator. NECTAC staff are assisting Kansas by conducting an evaluation of the pilot project. In November 2005, NECTAC staff will communicate with the five districts individually and prepare a report to inform continued work with other LEAs using this process. In addition to the pilot project, other districts have participated in the process by request. Resulting changes in LEA data on this indicator as a result of using this process in Kansas will be reflected in the FFY 2005 APR due in February 2007.

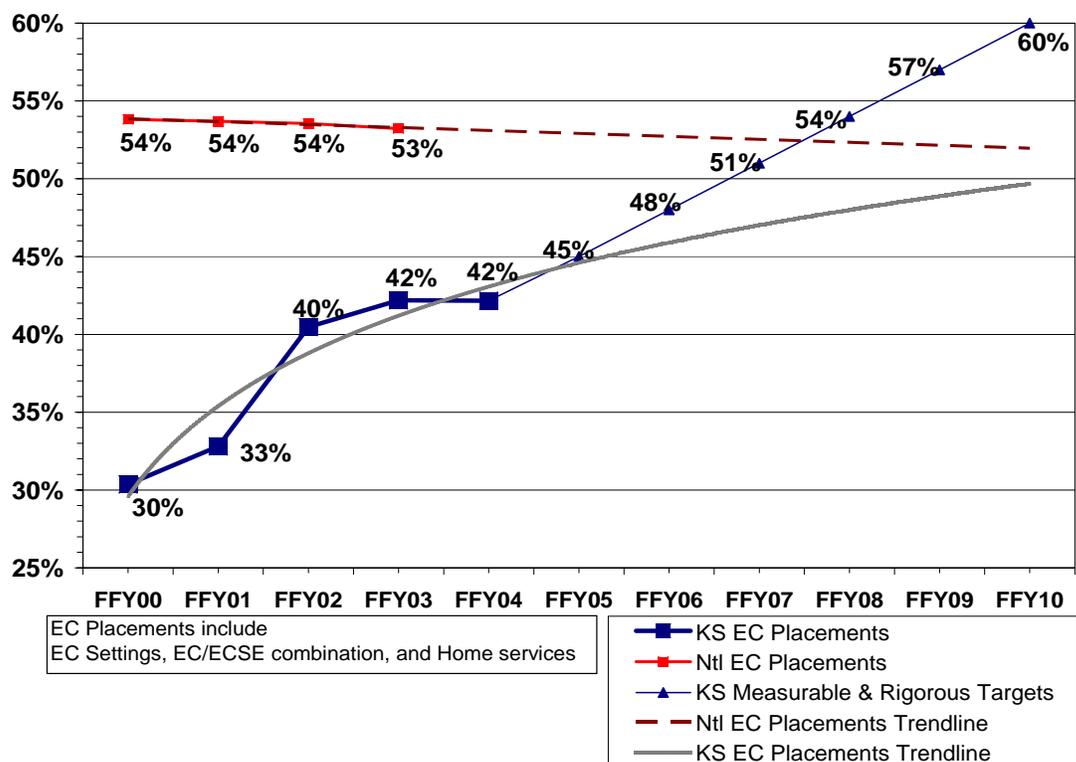
Baseline Data for FFY 2004 (2004-2005):

In Kansas, 42.16% (3,870) of preschool children with IEPs received special education services in settings with typically developing peers. The 42.16% in the baseline includes 17.41% (1,598) of preschool children with IEPs in typical early childhood settings, 1.82% (167) in home settings, and 22.93% (2,105) in combination EC/ECSE settings. There were 9,179 total preschool children with IEPs reported in FFY 2004 using MIS 618 data.

Discussion of Baseline Data:

Nationally, placement data have remained relatively the same from FFY 2000 through FFY 2003 while Kansas data are improving. Figure 6.1 (below) compares actual Kansas and national data from FFY 2000 through FFY 2003 and Kansas and national projected trend lines (based on the actual FFY 2000-2003 data) through 2010. Kansas targets for this indicator are also included. The rigorous target setting in comparison to projected trend lines illustrates the commitment by stakeholders in Kansas to improve the percent of preschool children with IEPs who receive special education and related services in settings with typically developing peers.

Figure 6.1 Comparison of National and Kansas Data



FFY	Measurable and Rigorous Target
2005 (2005-2006)	45% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).
2006 (2006-2007)	48% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).
2007 (2007-2008)	51% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).
2008 (2008-2009)	54% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).
2009 (2009-2010)	57% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).
2010 (2010-2011)	60% of preschool children with IEPs in Kansas will receive special education and related services in settings with typically developing peers (e.g., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings).

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Provide district level early childhood setting data to district administrators	X	X	X	X	X	X	KSDE staff
2. Target assistance and facilitate development of improvement plans for districts not meeting FAM and/or SPP early childhood LRE targets	X	X	X	X	X	X	KSDE staff DST CIA
3. Use results of NECTAC evaluation of work with pilot districts to improve the process to guide LEAs through an examination of their policies, procedures and practices described in overview above	X						NECTAC KITS SSS staff
4. Provide TA to LEAs to use data analysis process to examine and improve LRE policies, procedures and practices	X	X	X	X	X	X	KITS CIA Tools developed for LEAs
5. Support Institutes of Higher Education in Kansas to align teacher preparation programs with the unified EC standards. These standards support LRE policies, practices, and procedures at the EC level	X	X	X				SIG KITS IHEs Shared syllabi and on-line coursework.

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
6. Support Midwest Faculty Institute to present and disseminate research and evidence-based practice information	X	X	X	X	X	X	IA, MO, NE, and KS SEAs KACCRRRA KITS KHSAs KHSSCP CD of resources
7. Provide MIS data training and MIS data verification to ensure valid district data entry	X	X	X	X	X	X	SSS staff Kansas Data Dictionary KIDMSS Technical support through phone calls.
8. Provide Summer Institute, an intensive 4-day seminar focusing on State identified priorities while facilitating practitioners' ability to provide services in LRE.	X	X	X	X	X	X	KITS KSDE Nationally recognized presenters Hand-outs and resource materials.
9. Facilitate focus group of administrators and practitioners to give KSDE input related to successful LRE practices and evaluate variables that could be contributing to the variance in special education placements among districts.		X					EC and ECSE teachers Administrators SSS staff KITS
10. Presentations on research and evidence based practices on LRE at the Kansas Division of Early Childhood Conference.		X					KSDE KITS Website information on inclusion
11. Develop and disseminate Early Childhood Guidelines to include research-based and evidence-based practices on LRE.		X	X	X	X	X	KSDE KITS KIDMSS
12. Provide state wide training on available tools that have been developed for use by districts in the study of options for early childhood LRE.		X	X	X	X	X	KITS Inclusion Tool Kit
13. Regional collaborative training for Head Start and early childhood special education staff on writing a Memorandum of Understanding	X						Parents of children with disabilities KICC KSHA KDHE KSDE KITS KHSSCP
14. Disseminate updated S/L guidelines and OT/PT Q & A document to support/encourage full continuum of placements with emphasis on LRE decisions.	X						KSDE staff SSS website Guidance documents

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 7: Percent of preschool children with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Measurement:

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| <ol style="list-style-type: none"> 1. Positive social-emotional skills (including social relationships): <ol style="list-style-type: none"> a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100. b. Percent of preschool children who improve functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100. c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100. <p>If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.</p> 2. Acquisition and use of knowledge and skills (including early language/communication and early literacy) <ol style="list-style-type: none"> a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100. b. Percent of preschool children who improved functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100. c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100. <p>If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.</p> 3. Use of appropriate behaviors to meet their needs: <ol style="list-style-type: none"> a. Percent of preschool children who reach or maintain functioning at a level comparable to same-aged peers = # of preschool children who reach or maintain functioning at a level comparable to same-aged peers divided by # of preschool children with IEPs assessed times 100. b. Percent of preschool children who improved functioning = # of preschool children who improved functioning divided by # of preschool children with IEPs assessed times 100. c. Percent of preschool children who did not improve functioning = # of preschool children who did not improve functioning divided by # of preschool children with IEPs assessed times 100. <p>If children meet the criteria for a, report them in a. Do not include children reported in a in b or c. If a + b + c does not sum to 100%, explain the difference.</p> |
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Overview of Issue/Description of System or Process:

The Kansas State Department of Education (KSDE) is in the process of establishing a data collection and management system for this new indicator so that entry data will be available for the FFY 2005 Annual Performance Report (APR) due in February 2007 and progress data will be available for the

FFY 2006 APR due in February 2008. Kansas was awarded a General Supervision Enhancement Grant (GSEG) to, in part, support this process. Kansas is partnering with the Early Childhood Outcomes Center (ECO) and will use the ECO conversion scale, a scale designed to convert diverse data into a common, statewide data source, to collect entry and progress data for this new indicator.

Entry data will be collected for children who enter Part B services in Kansas from April 1, 2006 through September 29, 2006 and reported in the FFY 2005 APR due in February 2007. All children with IEPs who are younger than 54 months of age when the first IEP is completed and who will receive services for at least 6 months before kindergarten entry will be included in outcome measurement.

Using the State's individual student identifier number, the entry outcome rating (based on initial IEP data) will be matched to the progress outcome rating (based on IEP review data as close as possible to kindergarten entry) for individual children on each outcome indicator. At the special education agency, district and state levels, matched individual child scores will yield percent scores for each of the three outcomes as described in the measurement section above. Progress data will be collected and analyzed for children during FFY 2006 and reported in the 2006 APR due in February 2008.

Baseline Data for FFY 2005 (2005-2006):

The following are the current elements of the plan for collecting FFY 2005 entry data:

- In conjunction with ECO, Kansas will pilot the ECO conversion scale early in 2006. Plans are in the development phase at the present time. Input from pilot sites will be utilized to refine current plans for entry data collection in April 2006-September 2006. The ECO conversion scale will be used in Kansas by Part B LEAs and Part C Networks.
- KSDE has identified eight recommended curriculum-based assessment instruments that have been (or will be) cross walked with the child outcomes. The assessments were selected from survey results returned by Part B LEAs and Part C Networks in Kansas. At least one of these recommended assessment instruments will be used in conjunction with information obtained from record review, interview, observation, screening, and additional tests to complete the ECO conversion scale.
- The ECO conversion scale will be web-based and completed with input from team members including the parents and submitted to KSDE within 30 days of the initial IEP development for entry data and within 30 days of the exit IEP review meeting for progress data.
- Part C progress data, when available, will become Part B entry data for those children who transition from Part C and are eligible for Part B special education services.
- The Kansas Early Childhood Learning Guidelines and the Kindergarten Readiness Assessment have been developed and linked to the Kansas K-12 standards. Each of these documents will be cross-walked to the 3 child outcomes to link measurement of early childhood outcomes to early childhood standards and future school outcomes.
- The Kansas State Department of Education will provide a data warehouse system so data are entered only one time, integrated, validated through extraction and transformation processes, and loaded into a common repository (data warehouse) for access across KSDE and districts. KSDE will have the ability to match the entry and progress ratings for individual children using unique student identifier numbers.
- The Kansas Inservice Training System (KITS) will provide regional trainings using a training of trainers model beginning in February and March 2006. KITS will provide training and technical assistance to administrators and service providers in outcome data collection, reporting and use. Materials and guidance documents will be created and utilized by the KITS project to support these efforts and will be available on the KITS website, www.kskits.org, and the KSDE website, www.kansped.org. Each LEA in Kansas will send at least one representative to a regional meeting. Representatives attending a regional training will be provided with materials and guidance documents to support the training of other personnel when they return to their early childhood programs.

Discussion of Baseline Data:

This is a new indicator. Entry data will be provided in the FFY 2005 APR due in February, 2007. Progress data and targets will be provided in the FFY 2006 APR due in February, 2008.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	
2007 (2007-2008)	
2008 (2008-2009)	
2009 (2009-2010)	
2010 (2010-2011)	

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: FAPE in the LRE

Indicator 8: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(A))

Measurement: Percent = # of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities divided by the total # of respondent parents of children with disabilities times 100.

Overview of Issue/Description of System or Process:

In the FFY 2003 APR, Kansas used a variety of data to respond to Performance Indicator BP1: "Parental understanding, participation, and satisfaction with educational practices affecting children with disabilities are supported at the student, local, and state level". Some of the data used to respond to the indicator included the following:

- KSDE Student Support Services maintains a website (www.kansped.org) that is available for parents.
- KSDE Student Support Services has a toll free telephone number available to parents. Its use by parents is increasing.
- Parental attendance at IEP meetings in Kansas remains high. For FFY 2003, over 99% of the files reviewed documented parental participation in the IEP process.
- For FFY 2000 through 2003, over 98% of LEAs reported on their CIM self-assessment that parents were actively involved in determining appropriate special education and related services for their children. The one LEA reporting "needs improvement" in this area for FFY 2002 has since met requirements making the current status 100% for LEAs reporting active parental involvement.
- KSDE collaborates with the Kansas Parent Information Resource Center (KPIRC) to support the goal of providing training, information, and supports to parents.
- Parent survey results demonstrate general parent satisfaction.

Kansas has used the same parent survey for the five year CIM cycle so that LEAs would have comparative data to use in their improvement planning. FFY 2004 was the last year in the five year cycle. KSDE continues to discern many positive practices from the updated survey data that now includes all LEAs in Kansas.

Of particular relevance to Indicator #8 for the State Performance Plan (SPP) are items 2 and 4 (below) on the current parent survey that directly address parents' perception of their involvement in the special education process.

Survey Item 2: When my child was first evaluated for special education, the evaluation addressed all concerns raised by myself (if any) and other team members.

	Frequency	Percent
Yes	15,777	88.5%
No	1,216	6.8%
Don't Know/NA	838	4.7%

Survey Item 4: As a member of the IEP team, I helped in determining the special education and related services my child would receive.

	Frequency	Percent
Yes	16,059	90.2%
No	1,034	5.8%
Don't Know/NA	715	4.0%

A variety of data continue to demonstrate that Kansas supports parental understanding, participation, and satisfaction with special education practices affecting children with disabilities at the student, local, and state level. Overall, survey data indicate parental satisfaction with their involvement in the special education services of their children and with the special education services provided for their children by the LEAs throughout Kansas.

Baseline Data for FFY 2004:

The Kansas State Department of Education (KSDE) is in the process of establishing a data collection system for the current indicator so that baseline data will be available for the FFY 2005 APR due in February 2007.

Kansas will utilize the 25 items in the Schools' Efforts to Partner with Parents section from the survey developed by the National Center for Special Education Accountability Monitoring (NCSEAM). The 25 item format was selected for use in Kansas to reduce the burden on respondents and to increase response rates. The survey will be available in multiple languages to meet the unique needs of parent populations in Kansas.

Representatives from PTA, Families Together, and KPIRC have met and aligned the 25 statements from the NCSEAM survey with the PTA Parent Standards and determined that the statements in the survey do relate directly to the standards.

In FFY 2005, Kansas has 300 school districts. There are no districts in Kansas with an enrollment greater than 50,000. The following table reflects population data by size of districts in FFY 2004 (Kansas had 301 districts at this time).

Table 8.1: School Districts by Size

Size of School Districts	Range of Student Population in School Districts	Total Number of Districts
Large School Districts	1,741 - 48,627 (9/20/04 Count) <ul style="list-style-type: none"> • 325,823 Total Enrollment • 43,804 Disabled (12/1/04 Count) 	53 <ul style="list-style-type: none"> • 17.6% of Districts • 69.8% of Total Enrollment • 67.5% of Disabled Population
Medium School Districts	265 - 1,709 <ul style="list-style-type: none"> • 127,698 Total Enrollment • 19,018 Disabled 	181 <ul style="list-style-type: none"> • 60.1% of Districts • 27.3% of Total Enrollment • 29.3% of Disabled Population
Small School Districts	28 - 315 <ul style="list-style-type: none"> • 13,426 Total Enrollment • 2,089 Disabled 	67 <ul style="list-style-type: none"> • 22.3% of Districts • 2.9% of Total Enrollment • 3.2% of Disabled Population

In FFY 2005, baseline data for Kansas will be collected from parents using a stratified simple random sample of students with disabilities using FFY 2004, 618 data. School districts will be stratified by total student enrollment into 3 strata (large, medium, and small) with a simple random sample of students selected from each stratum equal to the proportion of students with disabilities in each stratum (67.5% for large, 29.3% for medium, and 3.2% for small) using Kansas student identification numbers from 618 data.

For a total population of 64,911 children receiving special education services, a sample size of 1,798 is needed for a confidence interval of 3 and a confidence level of 99%. Past parent surveys in Kansas have

yielded a 50% response rate. In calculation of sample size, the 50% response rate will be used and will increase the sample size to 3,596. Of the total sample, 2,427 students with disabilities will be selected in large districts, 1,054 in medium districts and 115 in small districts through a simple random sample of all students with disabilities in those districts using student identification numbers from 618 data.

Parent surveys will be distributed to districts in February 2006 with cover letters and postage paid return envelopes addressed to KSDE. Districts will be responsible for distributing surveys to parents of the students identified by KSDE in the random sample.

The brevity of the survey and information in the cover letter about the importance and purpose of the survey will increase the probability of an acceptable response rate. Inflating the sample size as described above will also increase the probability of an acceptable response rate. Returned surveys will be analyzed to determine how representative the sample is of the total population of children receiving special education services in Kansas in relation to disability categories, gender, age, and race as compared with 618 data. Adjustments in the sampling plan in subsequent years will be guided by this data analysis.

For surveys returned that are incomplete, KSDE will analyze items not completed for patterns. If specific items on the survey are consistently incomplete, KSDE will choose a comparable item from the NCSEAM survey bank for substitution in future survey distribution.

Data for Kansas will be collected annually from FFY 2005-2010 as described above to report on State performance. Kansas data will be publicly reported.

In addition, in FFY 2006, parent surveys will be distributed to all parents of children with disabilities to determine LEA data. Collecting census data will meet the State's requirement to report on each LEA at least once every six years and will give all LEAs time to examine their data and begin improvement activities, when needed, before FFY 2010. All district, LEA and Kansas data will be publicly reported on the KSDE website, <http://www.kansped.org> except for any data relative to small districts that would violate child confidentiality.

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	
2007 (2007-2008)	
2008 (2008-2009)	
2009 (2009-2010)	
2010 (2010-2011)	

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Disproportionality

Indicator 9: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = # of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification divided by # of districts in the State times 100.

Kansas has defined “disproportionate representation” as a greater than 2.00 weighted risk ratio.

Kansas plans to determine if disproportionate representation of racial and ethnic groups in special education and related services was the result of *inappropriate identification*. Districts with “flagged” data will complete a preliminary KSDE developed tool. If necessary the district will then complete a rubric review based on the National Center for Culturally Responsive Educational Systems (NCRRESt) rubric. This “drill down” will include a review of policies, practices and procedures under 618(d).

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on Disproportionality in response to indicator BF.1 “The percentage of children with disabilities, receiving special education, by race/ethnicity, is comparable to the percentage of children, by race/ethnicity, in the general population, in disability categories and in educational placements.” As a state, Kansas reported the following information in regard to identification of racial and ethnic groups:

Table 9.1 Risk Ratios for All Children with Disabilities, Ages 6 through 21

	American Indian/ Alaska Native	Asian/Pacific Islander	Black (not Hispanic)	Hispanic	White (not Hispanic)
All Disabilities	0.89	0.66	1.10	0.66	1.23

These data indicated that when considering all disability categories as a whole, Kansas as a state did not show disproportionate representation with special education identification by race/ethnicity. However, districts within Kansas did investigate their data through the Continuous Improvement Monitoring (CIM) self-assessment, and eight LEAs/districts did self-identify disproportionality as a concern. This represented 15% of the 55 LEAs/districts completing the CIM self-assessment for 2003-2004. Updated data for the school year 2004-2005, show that ten LEAs/districts (14.0% of 71 LEAs/districts) reported themselves as needing improvement on the CIM self-assessment. It is important to note that their self-identified status of needs improvement through the CIM system was based on numerical targets and, as advised by OSEP, not an appropriate way to address the compliance problems that significant disproportionality may indicate. With the change in the indicator requirement for the State Performance Plan, Kansas is taking the opportunity to move away from inappropriate numerical targets and ensure that within the next year districts look at policies, procedures, and practices in the referral, evaluation, and identification process to determine if they are educationally appropriate, consistent with the requirement of Part B, and race neutral.

Although the state level data reported in the past did not reveal disproportionate representation, it was felt that district level data did reveal concerns. This was considered in designing the new Focused Assistance and Monitoring (FAM) system and disproportionality was chosen as one of seven performance indicators for districts to monitor annually. Revised strategies for addressing this indicator include a revision of the

data collection method and method of identifying districts that may have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. Districts identified as having potential disproportionality will be required to perform further analysis to determine if inappropriate identification practices exist. "Drill-down" tools including a KSDE checklist and an extensive rubric to investigate policies, procedures, and practices are being developed. The target for FFY 2005 is that the detailed plan, listed below, be implemented by all districts, including those who were self-identified as needing improvement in the CIM process. This process will be completed by July 1, 2006 and followed by appropriate technical assistance, enforcement activities and sanctions as discussed in the overview section of the SPP. As directed by OSEP in the APR response letter received October 18, 2005 Kansas will submit a progress report to OSEP at 6 months from the date of letter.

Baseline Data for FFY 2004 (2004-2005): This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2005.

As directed by OSEP in the APR response letter received October 18, 2005 Kansas considered current data collection against the requirements related to indicators in order to be responsive to the set requirements. The following plan for annual data collection and district identification as having disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification for indicator #9 reflects strategies, evidence of change, targets, and timelines:

- District level data on special education students' race and ethnicity will be collected in the 618 LEA collections of data in December and the overall district population's race and ethnicity will be collected through the annual district enrollment data collected in September of each school year.
- These data will be used in the Westat developed formula to figure a weighted risk ratio for districts. Using this formula, Kansas defines disproportionate representation as a ratio of greater than 2.00. Due to concerns with very small districts and rural populations in Kansas creating invalid data, only districts with 20 or greater students in any ethnic groups and 5 or greater in any particular disability category will be included in the calculations. Districts with weighted risk ratio greater than 2.00 will be considered "flagged".
- Districts with "flagged" data will be required to complete a KSDE developed tool to discover any special circumstances at the district level and begin the investigation of identification practices within the district. This will be submitted in February for review by KSDE staff beginning in 2006.
- By April 2006, if a district's completed tool indicates potential concerns with inappropriate identification practices the district will then be required to complete and submit for KSDE review a rubric based on the model developed by the National Center for Culturally Responsive Educational Systems (NCCRESt) for in-depth investigation of inappropriate identification. This "drill down" process will include such items as: a review of written screening, referral, evaluation, and eligibility determination, policies, practices and procedures; a review of the continuum of services and supports available to students prior to referral to special education; and, a review of sample records of students to identify discriminatory policies or procedures and determine if written policies and procedures are being followed.
- If the completed rubric reveals that the district has proper practices and is following appropriate policies and procedures it will be rated as "Acceptable". However, if the completed rubric reveals the disproportionate representation does result from inappropriate identification, the districts will be rated as "Unacceptable". Districts will be notified by KSDE of their status by July 2006.
- These districts rated as "Unacceptable" will be required to create an improvement plan to address disproportionality issues within the district. In completing the LEA application for funds, 15% of Part B funds will be required to be used for early intervening services (EIS) as part of the improvement plan. KSDE will provide technical assistance and utilize further enforcement activities and sanctions as necessary.

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By FFY 2005, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2006 (2006-2007)	By FFY 2006, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2007 (2007-2008)	By FFY 2007, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2008 (2008-2009)	By FFY 2008, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2009 (2009-2010)	By FFY 2009, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.
2010 (2010-2011)	By FFY 2010, 0% of districts will have disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Disproportionality

Indicator 10: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Measurement:

Percent = # of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification divided by # of districts in the State times 100.

Kansas has defined “disproportionate representation” as a greater than 2.00 weighted risk ratio in any racial and ethnic groups within the disability categories of mental retardation, specific learning disabilities, emotional disturbance, speech/language impairments, other health impairments, and autism.

Kansas plans to determine if disproportionate representation of racial and ethnic groups in specific disability categories was the result of *inappropriate identification*. Districts with “flagged” data will complete a preliminary KSDE developed tool. If necessary the district will then complete a rubric review based on the National Center for Culturally Responsive Educational Systems (NCRRESt) rubric. This “drill down” will include a review of policies, practices and procedures under 618(d).

Overview of Issue/Description of System or Process:

In the FFY 2003 Annual Performance Report, Kansas reported state performance data for the 2003-2004 school year on Disproportionality in response to indicator BF.1. “The percentage of children with disabilities, receiving special education, by race/ethnicity, is comparable to the percentage of children, by race/ethnicity, in the general population, in disability categories and in educational placements.” As a state, Kansas reported the following information in regards to identification of racial and ethnic groups in specific disability categories:

Table 10.1 Risk Ratios for Disability Categories

	American Indian/ Alaska Native	Asian/Pacific Islander	Black (not Hispanic)	Hispanic	White (not Hispanic)
Mental Retardation	0.86	0.35	2.70	0.90	0.62
Specific Learning Disabilities	1.08	0.37	1.25	0.95	0.99
Emotional Disturbance	1.05	0.17	2.13	0.45	0.95
Speech or Language Impairments	0.88	0.64	0.84	0.70	1.38
Other Health Impairments	0.88	0.19	1.19	0.42	1.49
Autism	0.67	0.90	1.20	0.47	1.31

These data indicate that Kansas needs to investigate disproportionality for black students in the areas of mental retardation and emotional disturbance. This state-level concern was also seen at the district level through the Continuous Improvement Monitoring (CIM) self-assessments with ten districts identified needing improvement for this indicator. Seven of the ten LEAs/districts self-identified specific concerns with the category of emotional disturbance and 4 of the same ten addressed mental retardation as an area of concern for FFY 2004. However, it is important to note that their self-identified status of needs improvement through the CIM system was based on numerical targets and, as advised by OSEP, not an appropriate way to address the compliance problems that significant disproportionality may indicate. With the change in the indicator requirement for the State Performance Plan, Kansas is taking the opportunity to move away from inappropriate numerical targets and ensure that districts look at policies, procedures, and practices in the

referral, evaluation, and identification process to determine if they are educationally appropriate, consistent with the requirement of Part B, and race neutral.

Due to state level data reported in the past and the support of some district level concern regarding disproportionate representation, the areas of mental retardation and emotional disturbance were designed as the two disability categories to receive particular attention in the new Focused Assistance and Monitoring (FAM) system. These two areas will be part of the performance indicators for the districts and annual data will be investigated for concerns. Revised strategies for addressing this indicator include a revision of the data collection method and method of identifying districts that may have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification. Districts identified as having potential disproportionality will be required to perform further analysis to determine if inappropriate identification practices exist. "Drill-down" tools including a KSDE checklist and an extensive rubric to investigate policies, procedures, and practices are being developed. The target for FFY 2005 is that the detailed plan, listed below, be implemented by all districts, including those who were self-identified as needing improvement in the CIM process. This process will be completed by July 1, 2006 and followed by appropriate technical assistance, enforcement activities and sanctions as described in the SPP overview. As directed by OSEP in the APR response letter received October 18, 2005, Kansas will submit a progress report to OSEP at 6 months from the date of letter.

Baseline Data for FFY 2004 (2004-2005): This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2005.

As directed by OSEP in the APR response letter received October 18, 2005 Kansas considered current data collection against the requirements related to indicators in order to be responsive to the set requirements. The following plan for annual data and district identification as having disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification collection for indicator #10 reflects strategies, evidence of change, targets, and timelines:

- District level data on special education students' race and ethnicity will be collected in the 618 LEA collection of data in December and the overall district population's race and ethnicity will be collected through the annual district enrollment data collected in September of each school year.
- These data will be used in the Westat developed formula to figure weighted risk ratio for districts. Using this formula, Kansas defines disproportionate representation as a ratio of greater than 2.00. Because of concerns with very small districts and rural populations in Kansas creating invalid data, only districts with 20 or greater students in any ethnic groups and 5 or greater in any particular disability category will be included in the calculations. Districts with weighted risk ratio greater than 2.00 will be considered "flagged".
- Districts with "flagged" data will be required to complete a KSDE developed tool to discover any special circumstances at the district level and begin the investigation of identification processes within the district. This will be submitted in February for review by KSDE staff beginning in 2006.
- By April, districts whose completed tool indicates potential concerns with inappropriate identification and practices will then be required to complete and submit for KSDE review a rubric based on the model developed by the National Center for Culturally Responsive Educational Systems (NCCRESt) for in-depth investigation of inappropriate identification. This "drill down" process will include such items as: a review of written screening, referral, evaluation, and eligibility determination, policies, practices and procedures; a review of the continuum of services and supports available to students prior to referral to special education; and, a review of sample of records of students to identify discriminatory policies or procedures and determine if written policies and procedures are being followed.
- If the completed rubric reveals that the district has proper practices and is following appropriate policies and procedures it will be rated as "Acceptable". However, if the completed rubric reveals the disproportionate representation does result from inappropriate identification, the districts will be rated as "Unacceptable". Districts will be notified by KSDE of their status by July.
- These districts rated as "Unacceptable" will be required to create an improvement plan to address disproportionality issues within the district. In completing the LEA application for funds, 15% of Part B funds will be required to be used for early intervening services (EIS) as part of the improvement plan. KSDE will provide technical assistance and utilize further enforcement activities and sanctions as necessary.

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2005.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By FFY 2005, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2006 (2006-2007)	By FFY 2006, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2007 (2007-2008)	By FFY 2007, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2008 (2008-2009)	By FFY 2008, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2009 (2009-2010)	By FFY 2009, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.
2010 (2010-2011)	By FFY 2010, 0% of districts will have disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / Child Find

Indicator 11: Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or State established timeline).

(20 U.S.C. 1416(a)(3)(B))

Measurement:

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| <p>a. # of children for whom parental consent to evaluate was received.</p> <p>b. # determined not eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline).</p> <p>c. # determined eligible whose evaluations and eligibility determinations were completed within 60 days (or State established timeline).</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

<p>Account for children included in a but not included in b or c. Indicate the range of days beyond the timeline when eligibility was determined and any reasons for the delays.</p>

<p>Percent = b + c divided by a times 100.</p>

Overview of Issue/Description of System or Process:

Data for this procedural requirement will be collected through the FAM file review process.

The KSDE has not collected data regarding the students that were not eligible for services. In previous years, KSDE has collected file review information for timely evaluations and IEP implementation. As required in KAR 91-40-8(h) the initial evaluation is to be completed and IEP implemented within the 60-school-day timeline required. There is no specified timeline for the initial evaluation itself, but several requirements must all be completed within 60 school days unless an LEA can justify an extension of time.

Kansas will collect baseline data for this indicator during FFY 2005. In FFY 2005 districts selected for review were those that had completed the CIM process in year one of the CIM system. For the remaining five years of the FAM process, district selection is yet to be determined. Every Kansas district will have a file review at least one time during this six-year FAM process.

Baseline Data for FFY 2004 (2004-2005):

Since this is a new indicator, baseline and targets will be provided in FFY 2005 APR due February 1, 2007. Kansas will collect the data for this indicator in the following way:

- LEA file review will be conducted as described in the overview so that every LEA in the state will have files monitored at least once every six years.
- Revise the monitoring system, FAM, to review files of students who were evaluated but determined not eligible.
- Pull evaluation files during verification visits for students determined not eligible for services.
- Locate the parental consent for evaluation form to determine the date consent was given and locate the initial IEP to determine the date IEP services began.
- For students determined not to be eligible, determine the date consent was given and compare it to the date on the eligibility report.
- If the 60 school day time limit was exceeded, review file (including meeting notes, correspondence, additional notice and consent forms) to document the school's justification for the longer period of time and/or parental consent for an extension of time.
- Identify the range of calendar days beyond the timeline when eligibility was determined and identify any reasons for the delays.

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005 100% of student evaluations will be conducted within 60 days.
2006 (2006-2007)	By 2006 100% of student evaluations will be conducted within 60 days.
2007 (2007-2008)	By 2007 100% of student evaluations will be conducted within 60 days.
2008 (2008-2009)	By 2008 100% of student evaluations will be conducted within 60 days.
2009 (2009-2010)	By 2009 100% of student evaluations will be conducted within 60 days.
2010 (2010-2011)	By 2010 100% of student evaluations will be conducted within 60 days.

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 12: 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 birthdays.

(20U.S.C. 1416(a)(3)(B))

Measurement:

- A. # of children who have been served in Part C and referred to Part B for eligibility determination.
- B. # of those referred determined to be NOT eligible and whose eligibilities were determined prior to their third birthdays.
- C. # of those found eligible who have an IEP developed and implemented by their third birthdays
Account for children included in a but not included in b or c. Indicate the range of days beyond the third birthday when eligibility was determined and reasons for the delays.
Percent = c divided by a – b times 100.

Overview of Issue/Description of System or Process:

In the FFY 2003 APR, KSDE reported state data on the indicator EC.2. “Children transitioning from Part C services receive Part B services by their third birthday.” With the addition of FFY 2004 file review data, all LEAs in the 5 year CIM cycle are represented. CIM onsite file reviews monitored the timely transition of children from Part C to Part B services by verifying that children received Part B services by their third birthday. The rate of file review findings for children who did not receive Part B services by their third birthday were:

- 3.3% in FFY 2004 (92 files reviewed with three findings)
- 2.3% in FFY 2003
- 1.8% in FFY 2002
- 1.4% in FFY 2001
- 4.2% in FFY 2000

In Kansas, the lead agency for Part C services is the Kansas Department of Health and Environment (KDHE) and the lead agency for Part B services is Kansas Department of Education (KSDE). The lead agencies for Part B and Part C have collaborated for several years to ensure the requirements of early childhood transition are understood and respected. Transition from Part C to Part B has not been considered a systemic issue in Kansas.

FFY 2004 is the first year for bringing all children receiving Part C services into the Part B data system using unique individual identifiers. The system now has the potential for providing highly accurate and complete data regarding the Part C to Part B transition process. KSDE has used individual child data from this system to provide baseline data for the revised transition indicator.

Baseline Data for FFY 2004 (2004-2005):

There were 61% of children referred by Part C prior to age 3, who were found eligible for Part B, and who had an IEP developed and implemented by their third birthdays.

- a. There were 1,390 children served in Part C and referred to Part B for eligibility determination.
The referral number was calculated by summing the number of children in the Part C database with the following exit reasons:
 - “Are eligible for IDEA, Part B” (1,311)
 - “Are not eligible for IDEA, Part B, and exit with referrals to other programs” (12)
 - “Are not eligible for Part B and exit with no referrals” (9)

- “Part B eligibility has not been determined” (58)
- b. There were 21 of those referred determined to be NOT eligible.

The NOT eligible number was calculated by summing the number of children in the Part C database with the following exit reasons:

- “Are not eligible for IDEA, Part B, and exit with referrals to other programs” (14)
- “Are not eligible for Part B and exit with no referrals” (9)

Kansas has not previously monitored LEA files for children who have been served in Part C and referred to Part B who were determined to be NOT eligible. This item, however, is included in the 2005-2006 Kansas file review process. File review data in FFY 2005 will provide the information KSDE needs to respond to the second part of **b** above, *whose eligibilities were determined prior to their third birthdays*. Updated data will be reported in the FFY 2005 APR due in February 2007.

- c. There were 841 of those found eligible who had an IEP developed and implemented by their third birthdays.

The eligible number was determined by matching individual children from the Part C database identified by the exit code, “are eligible for IDEA, Part B” and “Part B eligibility has not been determined” to the same children in the Part B database who had initiation of special education services by their third birthday or by 9/10/04 if the child had a summer birthday.

There were 528 children included in **a** but not included in **b** or **c** above. These children are accounted for in the table below including the range of calendar days beyond the third birthday when eligibility was determined and reasons for the delays.

Table 12.1 Delays in Services or Unaccounted for in Part B

Reasons for Delay or No Match in Part B Database	Range of Calendar Days Beyond Third Birthday	Total # of Children
1. Staff error, child or staff illness, limited staff resources, and unknown reasons for delays	1 - 199	195
2. Moved from one LEA to another after referral by Part C to the first LEA.	N/A	103
3. Part C Exit Reason “Part B Eligible” but no child match in Part B database.	N/A	186
4. Part C Exit Reason “Part B Eligibility Not Determined” and no child match in Part B database.	N/A	44
TOTAL CHILDREN		528

Discussion of Baseline Data:

Since this is the first year to use the combined Part C and Part B database for reporting baseline on this revised indicator there are several next steps to improve current baseline accuracy. The reported percentage of children referred by Part C prior to age 3, who were found eligible for Part B with services initiated by their third birthdays, is lower than expected primarily due to the lack of individual child matches in items 3 and 4 above. In addition, children moving from one LEA to another during the referral process is a reality in Kansas.

Improvement Activities below will address these identified issues and others that are needed for continued improvement toward meeting the 100 percent compliance target. Within one year from the date OSEP accepts this plan, Kansas will identify noncompliance in districts and districts will correct noncompliance or will develop corrective action plans approved by KSDE. KSDE activities to accomplish compliance are

identified in the Improvement Activity section and include evidence of change, targets, and timelines. The lead agencies for Part B and Part C will continue their collaboration to ensure the requirements of early childhood transition are understood and respected in Kansas.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2006 (2006-2007)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2007 (2007-2008)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2008 (2008-2009)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2009 (2009-2010)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.
2010 (2010-2011)	100 % of children referred by Part C prior to age 3, who are found eligible for Part B, will have an IEP developed and implemented by their third birthdays.

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. KSDE will return data to Part B LEAs for the 151 children in Table 12.1, item 1, for data verification. LEAs will be required to respond to KSDE with a verification of data, available documentation in student file to validate inconsistency, and/or submit a plan to correct noncompliance issues as described in the overview section.	X						KSDE staff
2. KSDE will return data to identified Part C networks identified in Table 12.1 above in items 2-4 for data verification. If data are accurate, Part C networks will be asked to identify the Part B LEAs where children were referred in items 3-4. Identified LEAs will be asked to account for children referred but not currently in the Part B database as Part B eligible and receiving services.	X						KSDE staff KDHE
3. Revise and implement file review process to include children evaluated but not determined eligible	X						KSDE staff
4. Clarify reporting requirements especially for 3 year old children who are remaining with the Part C providers until natural transition times (Table 12.1, item 1)	X						KSDE staff KDHE

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
5. Revise file review calculation of findings to ensure data provide the accurate degree of compliance and noncompliance	X	X					KSDE staff
6. Provide district level early childhood transition data to district administrators	X	X	X	X	X	X	KSDE staff
7. Target assistance and facilitate development of improvement plans for districts not meeting FAM indicators and/or SPP early childhood transition targets	X	X	X	X	X	X	KSDE staff DST KSTARS
8. Provide technical assistance to LEAs to use data analysis to examine and improve early childhood transition policies, procedures and practices as needed and on request	X	X	X	X	X	X	KITS
9. Work with Part C to ensure data accuracy is improved by investigating data inaccuracies reported by providers	X	X	X	X	X	X	KSDE staff KDHE
10. Provide MIS data training and MIS data verification to ensure valid district data entry	X	X	X	X	X	X	KSDE staff Kansas data dictionary KIDMSS Technical support through phone calls
11. Develop and disseminate Early Childhood Guidelines document to include research-based and evidence based practice in relation to early childhood transition including district responsibilities for students who move from one district to another prior to IEP development		X	X	X	X	X	KSDE staff KITS KIDMSS
12. Revise and disseminate Special Education Process Handbook to include relevant guidance on meeting IDEA 2004 and State regulations for early childhood transition		X	X	X	X	X	KSDE staff KIDMSS
13. IHEs (universities) will continue to work together to develop common syllabi for courses that will ensure understanding of early childhood research-based and evidence based practices in relation to early childhood transition	X	X	X				SIG KITS IHes Syllabi

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
14. Distribute and advertise materials including videos, training packets, and web sites to support understanding of EC transition issues	X	X	X	X	X	X	KITS Resource Library KITS newsletter KITS I/T and ECSE list serve

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 13: Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goal and transition service that will reasonably enable the student to meet the postsecondary goals. (20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = # of youth with disabilities aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goal and transition services that will reasonably enable the student to meet the postsecondary goals divided by the # of youth with an IEP aged 16 and above times 100.

Overview of Issue/Description of System or Process:

For many years Kansas has had a special education agency file review process to ensure procedural compliance at an individual student level. The state of Kansas is beginning FFY 2005 by implementing a Focused Assistance and Monitoring (FAM) System. This process is a six-year process that will result in district-level data. As part of this new system the state will continue to review student files and through this process will obtain the necessary data for this indicator. For additional information regarding the FAM system refer to the general overview of the SPP.

Baseline Data for FFY 2004 (2004-2005):

This is a new indicator. Baseline will be provided in FFY 2005 APR due February 1, 2007. Kansas will collect the data for this indicator in the following way:

- LEA file review will be conducted as described in the SPP overview so that every LEA in the state
- will have files monitored at least once every six years.
- Ensure the monitoring system, FAM, includes SPP procedural requirements data.
- Conduct file reviews in accordance with file review worksheet.
 - Review IEP to identify measurable postsecondary goals related to the postsecondary plans of the student. Goals may be in the areas of education, training, employment and where appropriate, independent living skills.
 - Locate in the IEP transition services that will assist the student to meet the postsecondary goals, including courses and educational experiences. Transition services should be a “coordinated set of activities” in the areas of instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

Discussion of Baseline Data:

Since this is a new indicator, baseline and targets will be provided in FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals
2006 (2006-2007)	By 2006, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals
2007 (2007-2008)	By 2007, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals

FFY	Measurable and Rigorous Target
2008 (2008-2009)	By 2008, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals
2009 (2009-2010)	By 2009, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals
2010 (2010-2011)	By 2010, 100% of IEPs reviewed for youth aged 16 and above will include coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Indicator 14: Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school (20 U.S.C. 1416(a)(3)(B))

Measurement: Percent = # of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school divided by # of youth assessed who had IEPs and are no longer in secondary school times 100.

Overview of Issue/Description of System or Process:

The State of Kansas has not had a system to collect post-school outcome data. Some local education agencies have collected data for themselves, but KSDE has not had a statewide reporting system. We plan to initiate a district post-school outcome data collection system in FFY 2005.

During the school year 2005-2006, the SEA will work with the State Transition Summit team to review and refine the state's post-school outcome data collection system. Each district will be part of a stratified random sample with no replacement over six years. At the minimum, KSDE will ensure that each district is sampled at least once every six years. Within the district sample, a percentage of those students needed to obtain a representative sample will be selected based on the number of students who exit each year. At this time, it is estimated that each district will be collecting information on 30% of their students who exited the previous year. All districts will be encouraged to join the sample annually. In keeping with the focused monitoring process, some districts may be sampled more often if the monitoring results warrant. Additionally, KSDE will design the system to address the collection of information on youth who drop out of our schools. The system will be designed to improve the response level of the sample and will have built the analysis and correction of non-response. No personally identifiable information about individual children will be disclosed. KSDE has already initiated activities to assist in development of a statewide data collection system. These activities include:

Baseline Data for FFY 2004 (2004-2005):

This is a new indicator. Baseline and targets will be provided in FFY 2006 APR due February 1, 2008.

Kansas plans to model the post school outcomes survey after the survey developed by the National Post School Outcomes Center, NPSO.

The Kansas State Department of Education has already initiated activities to assist in the development of a data collection system that reflects the needs of the state and districts. These activities include:

- Participating in the NPSO/NCSET sponsored Post-School Outcomes Community of Practice
- Accessing materials and technical assistance from the National Post-School Outcomes Center
- Collecting and reviewing information on data collection from other states and local districts with existing systems
- Sharing and discussing collected information with our Transition Summit team members and stakeholder group
- Participation in both NCSET Transition Summits
- Working towards the activities in our OSEP GSEG to assist in our system development
- Working with an interagency group to establish procedures and a system for data analysis across databases

In FFY 2005, Kansas has 300 school districts. There are no districts in Kansas with an enrollment greater than 50,000. See Table 8.1 located under indicator 8, for a breakdown of population data by size of districts in FFY 2004. Kansas had 301 districts in FFY 2004.

In FFY 2005, Kansas will begin collecting demographic baseline data by conducting an exit survey for all students with an IEP who will be graduating, or exiting some time that school year. The following year, FFY 2006, Kansas will continue collecting baseline data by conducting a phone interview with students who exited in 2005. Students chosen for the phone interview will be selected through stratified random sample. Selection of districts will be determined by a random assignment of districts for the next six years. Each district will be sampled at least once every six years.

For a total population of exiting special education students (3800), a sample size of 1250 is needed for a confidence interval of three and a confidence level of 99%. In calculation of sample size, the 50% response rate will be used and will increase total sample size to 1365. At this time it is estimated that districts will be collecting information on 35% of their students who exited the previous year.

Each year, between April and June, exit surveys will be conducted in the LEAs. Students will be required to complete an exit survey in which they will provide information about their school and transition planning experiences as well as contact information that will enable the LEA to contact the student in future years to collect post school outcome data. The student will also verify demographic information that will be populated into the survey. Exit surveys will be conducted between April and June each year for exiting special education students.

The second part of the post school outcome data collection system is collecting survey data for exiting special education students within one year of leaving high school. These data will be collected through phone interview which will be conducted with the student or family member about the student's post high school employment and educational engagement since leaving high school. To increase the response rate all interviews will be conducted by an individual familiar with the student, preferably the special education teacher or a representative from the LEA.

Interview questions and protocols will be disseminated to the districts in February 2006. Training on this data collection procedure and how the information will be collected will occur at the administrator's spring meeting, FFY 2006. Training will include clarification on how to ask the questions, and how to code a response. Additionally, interviewers will be trained to understand any definitions provided in the response set within the interview.

Returned results will be analyzed to determine how representative the sample is of the total population of exiting special education students who received special education services in Kansas in relation to disability categories, gender, age, and race. Adjustments in the sampling plan in subsequent years will be guided by this analysis.

The brevity of the interview will increase the probability of an acceptable response rate. It is estimated that the interview will take approximately 10-15 minutes. Inflating the sample size as described above will also increase the probability of an acceptable response rate.

Data for Kansas will be conducted annually from FFY 2006-2010 as described above to report on State performance. Kansas data will be publicly reported, as described in the general SPP overview.

As KSDE moves forward with post-school data collection plans, implementation activities are as follows:

- Work with Summit team, SEA research staff and the NPSO Center in the design of our data collection system and protocol
- Work with the Summit team, SEA research staff and NPSO to design a PSO collection system and storage
- Attend NPSO training
- Build data storage system and application process
- Disseminate exit survey protocol and provide information about this reporting requirement, training on data collection and how the information will inform schools and districts at the LEA administrators March 2006 meeting
- Identify districts to pilot the process
- Pilot data collections and storage system

- Provide technical assistance on data collection protocol with districts identified to be part of the sample
- Provide information about this reporting requirement and how the information can inform schools and districts at the Transition Conference, Student Leadership Conference, etc.
- Gather exit information on students leaving during 2005-2006
- In Spring 2007, gather post-school outcome data on students leaving during 2005-2006
- Report results to public annually
- Establish baseline for post-school outcome data
- Analyze data at the district and state level, compile simple, user-friendly reports
- Set 6 year and annual rigorous and measurable targets based on baseline data collected to date (to be submitted in the APR due February 2008)
- Report results to public annually
- Provide technical assistance to districts to ensure the use of the data and report to develop district improvement strategies
- Implement improvement activities
- Adjust data collection protocol and training as needed to improve response rate and review and adjust the rigorous and measurable *targets annually; complete APR*

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	
2007 (2007-2008)	
2008 (2008-2009)	
2009 (2009-2010)	
2010 (2010-2011)	

Improvement Activities/Timelines/Resources:

Using baseline data collected in FFY 2005, improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 15: General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.

(20 U.S.C. 1416 (a)(3)(B))

Measurement:

- | |
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| <ol style="list-style-type: none"> 1. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year of identification: <ol style="list-style-type: none"> a. # of findings of noncompliance made related to monitoring priority areas and indicators. b. # of corrections completed as soon as possible but in no case later than one year from identification. <p>Percent = b divided by a times 100.
For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.</p> 2. Percent of noncompliance related to areas not included in the above monitoring priority areas and indicators corrected within one year of identification: <ol style="list-style-type: none"> a. # of findings of noncompliance made related to such areas. b. # of corrections completed as soon as possible but in no case later than one year from identification. <p>Percent = b divided by a times 100.
For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.</p> 3. Percent of noncompliance identified through other mechanisms (complaints, due process hearings, mediations, etc.) corrected within one year of identification: <ol style="list-style-type: none"> a. # of agencies in which noncompliance was identified through other mechanisms. b. # of findings of noncompliance made. c. # of corrections completed as soon as possible but in no case later than one year from identification. <p>Percent = c divided by b times 100.
For any noncompliance not corrected within one year of identification, describe what actions, including technical assistance and/or enforcement that the State has taken.</p> |
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Overview of Issue/Description of System or Process:

In the OSEP response letter to the Kansas APR for FFY 2003, it is stipulated, "KSDE must provide, with the SPP, evidence that the State ensures correction of identified noncompliance in a timely manner. Kansas must include evidence that districts with identified noncompliance have corrected the noncompliance within one year or a plan to provide such evidence within a reasonable period of time, not to exceed one year from the date OSEP accepts the plan. The plan must include strategies, proposed evidence of change, targets, and timelines for ensuring identification of noncompliance with Part B and the correction of all identified noncompliance, including evidence that the noncompliance identified in the past has been corrected."

State ensures correction of identified noncompliance in a timely manner.

In reviewing Kansas data, the fact that CIM is a continuous improvement model complicates the issue of determining compliance. As addressed in the CIM, graduation; dropout; disproportionality; suspension/expulsion; placement; and participation in, and achievement on, state assessments have been treated as performance indicators. The Kansas CIM required districts to identify themselves as noncompliant if policies, procedures, and/or practices were contributing to the below criteria data for

performance indicators. The amount of information that KSDE has about the type and extent of reviews conducted by the districts and the results of these reviews is limited.

When Continuous Improvement Applications (CIA) and plans are submitted by the special education agencies in spring 2006, KSDE will have the agency-level data about needed revisions in policies, procedures and/or practices for identified indicators. KSDE will provide additional guidance about the review of policies, procedures and practices for identified indicators. Within one year KSDE will determine whether districts are noncompliant in any of the identified indicator areas. Agencies will be required to develop plans to address issues. KSDE maintains options for assistance/intervention, enforcements, and sanctions which can be found in the Overview for the SPP.

State ensures districts with identified noncompliance have corrected noncompliance within one year or provide plan to provide such evidence within one year of OSEP accepting the plan.

During FFY 2004, the Kansas State Department of Education utilized several procedures to assess compliance and remediate noncompliance with special education laws and regulations. These procedures are summarized in the Overview for the SPP. Comprehensive information is available on the www.kansped.org website. The sources of monitoring data include CIM, MIS Verification, Dispute Resolution Processes (complaints, mediations, and hearings), file review, and the APR data analysis.

During the FFY 2003 and 2004, when issues of noncompliance were identified, districts corrected the noncompliance within one year. For those areas identified as performance indicators, districts evaluated their policies, procedures and practices and determined if there were compliance issues impacting the data. As described above, KSDE will ensure adequate information is available for KSDE to determine compliance.

KSDE will continue to operate its dispute resolution procedures as in the past. The system is effective in identifying noncompliance and providing evidence of correction within one year.

Plan must include strategies, proposed evidence of change, targets, and timelines for ensuring identification and correction of noncompliance, including evidence that past noncompliance has been corrected.

KSDE has established strategies for ensuring identification and correction of noncompliance from indicators that the data alone do not indicate noncompliance, including disproportionality and suspension/expulsions. KSDE will develop guidance documents, tools, and training to assist districts in using an improvement process to study issues in identifying noncompliance. With identified districts, KSDE will assist and monitor for analysis, implementation, and progress on District Action Plan goals. For all remaining districts, SPP indicators, FAM file review issues, and carry-over CIM indicators will be addressed and monitored through the CIA process. The CIA process includes analysis, plans, and implementation of plans. All plans will include strategies, evidence of change, timelines for identifying and correcting noncompliance. As evidence of thorough investigation, districts will provide data/information about their study/analysis. As evidence of compliance, KSDE will need sufficient data to make a data-informed decision about a district's compliance or noncompliance, especially related to policies, procedures, and practices.

Baseline Data for FFY 2004 (2004-2005):

A. Percent of noncompliance related to monitoring priority areas and indicators corrected within one year.

To understand the Kansas Continuous Improvement Monitoring (CIM) process, it is critical to know that in the Kansas CIM process, "needs improvement" is NOT considered "noncompliance" on systemic issues. In a continuous improvement model, districts may identify that they want to improve in an area although they are not systemically noncompliant. Before determining that an indicator is in the "needs improvement" category, instead of "noncompliant," a district reviews policies, procedures, and practices and determines that systemic issues/practices are not the cause of the data/results. To eliminate confusion, KSDE is not reporting "needs improvement" indicators in this SPP since they do not constitute "noncompliance."

Indicators that were considered performance issues, not regulatory compliance issues, are identified with an *. Although these are systemic performance issues, when the data suggest concerns, districts are

required to review policies, procedures and practices to ensure there are not systemic factors contributing to the data. Inappropriate policies, procedures, and practices is considered noncompliance.

For data to stand alone as documentation of noncompliance, the data must be addressing legislated requirements from a state or federal perspective. Individual regulatory noncompliance is corrected. Districts and KSDE identify and correct systemic regulatory noncompliance issues within one year or additional intervention and expectations are established with the KSDE.

Table 15.1: Compilation of Monitoring Findings

Indicator & Sources	03-04 # of agencies	# w/ findings	03-04 # of findings	# corrected w/in 1 yr	% corrected w/in 1 yr
1. Graduation*					
CIM 45	15	0			
FAM					
2. Dropout*					
CIM 46	15	0			
APR for 04-05					
3. Participation and Performance*					
CIM 26	15	0			
CIM 27	15	0			
File review	15	3	27	27	100%
FAM					
4. Suspension/ Expulsion*					
CIM 28	15	1	1	0	0%
CIM 29	15	0			
File Review	15	2	6	6	100%
Dispute Processes	3 Complaint 1 DP hrg 2 Mediations	1 complaint	1	1	100%
APR for 04-05					
5. Placements, 6-21*					
CIM 22	15	0			
CIM 25	15	0			
Dispute Processes	4 Complaint 5 DP hrg 7 Mediation	1 complaint 1 hrg	2	2	100%
FAM					
6. Placements, EC*					
CIM 24	15	0			
FAM					
7. EC Outcomes*					
APR for 06-07					
8. Parental Involvement*					
APR for 05-06					
9. Disproportionality in SpEd					
APR for 05-06					

Indicator & Sources	03-04 # of agencies	# w/ findings	03-04 # of findings	# corrected w/in 1 yr	% corrected w/in 1 yr
10. Disproportionality in SpEd Categories					
FAM					
APR for 05-06					
11. Evaluation w/in Timeline					
FAM File review					
12. IEP implemented by 3rd birthday, Part C referral					
File review	15	1	6	6 process	100%
FAM File Review					
13. Measurable transition goal & transition services					
FAM File review					
14. Post-secondary Outcomes*					
APR for 06-07					
20. Accurate & Timely Data					
MIS Verify	15	3	4	4	100%
TOTALS			47	46	98%

- B. Percent of noncompliance related to areas not related to the above monitoring priority areas and indicators corrected within one year of identification

Dispute resolution issues are maintained in the dispute resolution database. For FFY 2003, issues are listed in the table below.

Table 15.2: Issue Categories for Compliance Findings and Mediation Agreements 2003-04

NOTE: All findings were corrected, usually within 45 days but always within a year.

Issue	Complaints (27)	Mediations (31)	Due Process Hearing (1)	CIM File Review (638 files)
IEP-Development	5 findings	13		Team membership: 118 PLEPS: 174 Measurable Goals: 237 Services: 189 Freq, loc, duration: 107 Progress: 132 Input from parent: 90 Annual review: 81 Behavior: 31
IEP-Implementation	16 findings			
Eval/reeval		8		Initial evals: 81 Timeliness: 9 Reevals: 42
Notice	6 findings			Initial eval: 14 IEP: 93 (KS 10-day notice) Reeval: 15
Consent	2 findings	1		Initial eval: see notice Placement: 4 Reeval: 13
Ed records	1 finding			

Issue	Complaints (27)	Mediations (31)	Due Process Hearing (1)	CIM File Review (638 files)
ESY		2		ESY: 35
Related Service		2		See services under IEP dev
Eligibility		1		Eligibility: 16
Private School		1		
Transition Services				Transition: 20
Misc & SPP Indicators	2 findings	9	1 finding	Various other: 717
Total	32 findings	37	1 finding	2,218 findings

Timeliness of Corrections: KSDE establishes the timeline by which formal complaint corrective actions must be implemented. The district must notify KSDE when corrective actions have been implemented. All are corrected within 45 days of the finding/appeal ruling unless KSDE establishes a longer monitoring time period. KSDE procedures permit a parent to file a formal complaint if corrective actions from a due process hearing are not implemented. In FFY 2003, no formal complaint was investigated that concerned corrective actions. Due process hearing actions are implemented in a timely manner. KSDE staff monitors completion of formal complaint corrective actions and issues a clearance letter notifying all parties when the corrective actions have been completed. In addition, during the CIM onsite file review and self-assessment process, districts and KSDE review dispute resolution findings (due process hearings, mediations, formal complaints) to ensure corrective actions were appropriately implemented. 100% of findings from dispute resolution procedures were corrected within one year.

Identified file review items must be corrected within 30 days of the finding. Individual student file review findings were corrected when they could be rectified (For example, missing the 60 school day timeline for evaluation and IEP development can't be corrected for that student). Systemic issues are addressed. All systemic-level file review findings were corrected within one year. KSDE verifies the district review and correction of findings.

KSDE has completed MIS data verification. A system for ensuring districts correct MIS verification findings is established to implement in FFY 2005. When KSDE determines there are systemic issues with a district's MIS reporting, the district will implement procedures to ensure accurate data collection within one year of the finding. KSDE will follow-up with a random review of data submitted for that district.

C. Percent of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) corrected within one year of identification

During the FFY 2004, formal complaints were investigated within 31 districts (10% of Kansas Districts). Of the 27 formal complaints investigated, 19 had findings. These 19 findings occurred in 14 districts. Only 2 districts had more than one formal complaint with findings (one district had 5 and one 2). KSDE analyzed the last three years' data for the district with 5 formal complaints with findings, the results were shared with the district administration, and expectations were established for district and specific schools.

Onsite file reviews and visitations were conducted for 15 of the 71 special education agencies. Of the 15 agencies, 14 of the agencies had systemic issues to address. File review findings were corrected within one year.

Fifteen districts completed the initial self-assessment process in FFY 2003. All system noncompliance was corrected within one year of the determination. For those 15 districts, no outstanding noncompliance issues exist. One has corrected all areas identified for needs improvement.

Through the year FFY 2004, 57 of 72 special education agencies have completed their CIM self-assessment and onsite file review. Throughout the first four years of CIM, 34 instances of noncompliance have been identified. In FFY 2003, one agency with noncompliance that extended into a second year, received direct intervention from the KSDE to remediate noncompliance in IEP team

member attendance. The district is now in compliance with this requirement. One noncompliance finding older than one year remains from the CIM self-assessments. The area of noncompliance is comparable facilities. The KSDE is providing additional assistance to this district to ensure all options are being considered. KSDE maintains all enforcement action options and interventions.

Continuous improvement. Forty-nine (49) of these 57 agencies continue to address as “needs improvement” the SPP Indicator 15A (9 CIM indicators) and an additional 11 indicators from the Kansas self-assessment’s 66 indicators. Remember these are NOT considered system noncompliance but demonstrate districts’ commitment to improving practices and procedures.

Discussion of Baseline Data:

A. Monitoring priority areas

To interpret Kansas baseline data it is critical to review the information provided in the overview for this indicator. Essentially the overview is a discussion of the baseline data. Within one year KSDE will determine whether districts are noncompliant in any of the identified indicator areas.

B. Noncompliance related to other areas

KSDE is responding to compliance findings and effective practice issues in other areas. The CIM process extended the review of several issues into the realm of effective practice, beyond compliance. IEP development is an area in which Kansas districts struggle to improve practices that impact student results. CIM data in Table 15-2 illustrates Kansas efforts to improve the quality of PLEPs, measurable goals, description of services, and combining behavior and academic considerations. It also documents individual student noncompliance findings in IEP team membership, annual review, and appropriate progress reporting documentation. Individual findings are corrected. IEP development is also an area in which there is disagreement between parents and schools during dispute resolution processes. To support continued improvement in this area, KSDE has devoted a KSTARS Project, Project SPOT, to statewide student outcomes-oriented IEP training during FFY 2004 and FFY 2005. Additional training will be provided in future years. Although there are individual noncompliance findings and findings for needing to improve practices, the KSDE does not perceive a systemic noncompliance issue in any other area.

C. District noncompliance related to other areas

The number of special education agencies with noncompliant issues has been small for the last several years. At the end of one year from the issuance of findings during the FFY 2003, no districts have outstanding compliance issues identified through other mechanisms (monitoring, due process hearings, mediations, and formal complaints). Districts develop continuous improvement plans.

Measurable and Rigorous Target

It is the understanding of KSDE that states are required to establish targets for each of the three (3) components of this indicator.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year</p> <p>B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification</p> <p>C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>
2006 (2006-2007)	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year</p> <p>B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification</p> <p>C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>

<p>2007 (2007-2008)</p>	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>
<p>2008 (2008-2009)</p>	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>
<p>2009 (2009-2010)</p>	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>
<p>2010 (2010-2011)</p>	<p>A. 100% of noncompliance related to monitoring priority areas and indicators corrected is corrected within one year B. 100% of noncompliance related to areas not related to the above monitoring priority areas and indicators is corrected within one year of identification C. 100% of noncompliance identified through other mechanisms (complete, due process hearings, mediations, etc.) is corrected within one year of identification</p>

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY(s) When activities will occur						
	05	06	07	08	09	10	
<p>1. Revise CIA and implement to ensure information about review of policies, procedures, & practices is provided to KSDE and appropriately addressed by sped agencies for performance indicators</p>	X	X	X	X	X	X	KSDE staff FAM & CIA guidance docs Project SPOT Dispute Resolution Consultant MPRRC
<p>2. Develop and implement data storage and management system to track district and agency-level data about SPP indicators and district response to them</p>		X	X	X	X	X	KSDE staff KIDMSS GSEG NCSEAM CADRE Westat
<p>3. Develop and Implement guidance and tools for the study (drill-down), improvement planning, implementation, and monitoring of FAM and SPP indicators</p>	X	X	X	X	X	X	KSDE staff Project SPOT KIDMSS MPRRC Nat'l Dropout Center

Improvement Activities	Timelines						Resources
	FFY(s) When activities will occur						
	05	06	07	08	09	10	
4. Provide regional IEP training and follow-up that is focused on improving results for students and ensures each agency has staff highly trained to support IEP development	X	X	X				Project SPOT Alternatives to face-to-face Families Together
5. Focused IEP update/refresher training for those districts with file data indicating a need to improve			X	X	X	X	Project SPOT
6. Develop and implement FAM process	X	X	X	X	X	X	KSDE staff Project SPOT DATA Project Westat NCSEAM National Dropout Center for Students with Disabilities
7. Continue dispute resolution process, incorporating resolution sessions	X	X	X	X	X	X	KSDE Legal Consultant MPRRC teleconferences
8. Enhance dispute resolution database and report options	X	X	X	X	X	X	KSDE Legal Consultant KSDE programmer CADRE
9. Provide guidance on effective strategies for improving policies, procedures and practices for various indicators (see indicators 1-14)		X	X	X	X	X	KSDE consultants (SSS and DST) MPRRC National Dropout Center for Students with Disabilities ACCESS NCCRESt PBIS
10. Develop Kansas resource list by SPP indicator		X					KSDE staff KSTARS
11. Establish and implement follow-up activities for systemic MIS verification findings	X	X	X	X	X	X	KSDE Data Manager
12. Communicate the KSDE sequence of intervention and enforcement activities in guidance documents.	X	X	X	X	X	x	KSDE staff KIDMSS

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 16: Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = (1.1(b) + 1.1(c)) divided by (1.1) times 100.

Overview of Issue/Description of System or Process:

Kansas Department of Education uses various avenues to resolve disagreements among parents and education agencies regarding special education. One method for resolving issues is to file a formal complaint. Presently, the Student Support Services (SSS) legal consultant oversees two external complaint investigators with whom the state contracts to conduct complaint investigations.

A complainant may file a formal complaint if the complainant believes the school district is not complying with Federal or State laws or regulations relating to special education. The State of Kansas has adopted complaint procedures that meet all of the requirements of Federal regulations. Kansas plans to respond to this indicator by addressing the following:

- State and Federal regulations to guide dispute resolution
- State procedures to resolve complaints within the 60-day timeline
- Quality monitoring procedures to ensure the timely and effective implementation of complaint decisions
- Quality monitoring procedures to analyze complaint decisions to determine if systemic issues are present

State and Federal regulations to guide dispute resolution

Kansas State Department of Education has established formal written complaint procedures as required by Federal regulations 34 CFR 300.660-300.662. Kansas regulations KAR 91-40-51(a)(1) and KAR 91-40-51(a)(2) and KAR 91-40-51(a)(3) specifically address how the complaint will be investigated, the timeframe for the complaint investigation and what the district will do to ensure that corrective action has occurred. Additionally, State regulations state that a complaint can only be filed during the past year that the situation occurred unless it is still occurring or the complainant is requesting compensatory services.

State procedures to resolve complaints within the 60-day timeline and Grounds for Extending Timeline

Kansas has a two tier process for addressing formal complaints. In Kansas, any individual or organization may file a formal complaint if they believe that the LEA is not complying with the Federal or State laws or regulations relating to special education. The second tier allows for an appeal if the decision rendered is not accepted by either party.

Once a complaint has been filed, the Student Support Services (SSS) team at the KSDE date-stamps it and forwards it to the formal complaint investigator who then establishes a data file for the complaint. The state contracts with two external complaint investigators who are under the direct supervision of the SSS legal consultant. By the 10th day from which the complaint was received, KSDE mails a letter to the complainant, special education administrator, and school district superintendent acknowledging the receipt of the complaint. Within 5 days of mailing the letters, day 15, the investigator contacts the complainant and special education administrator to clarify any issues in the complaint, solicit relevant information and documents, and schedules a date and time for on-site investigation, if necessary.

The actual investigation itself typically includes a review of student records, IEP's, and relevant documents, as well as interviews conducted with the complainant, special education administrator and additional school personnel. A written report must be prepared with findings and corrective actions if appropriate. Within 30 days of the initial receipt of the complaint, the written report of findings and corrective action(s) must be sent to the complainant and special education administrator as well as the school district superintendent. If corrective action is required the district has 10 calendar days, according to KAR 91-40-51(a)(3), to 1.) Submit a statement documenting that findings and corrective actions have been accepted; or 2.) Request an extension of time to complete the corrective action(s); 3.) Provide the SEA with written notice of appeal of the written report. If the LEA fails to make a timely response to the written report issued by the SEA or an extension has not been asked for, then sanctions may be pursued by the SEA. Submitting the initial report of findings within 30 days of the filing of the complaint allows sufficient time for appeals to be completed within 60 days.

Quality monitoring procedures to ensure the timely and effective implementation of complaint decisions

Representatives with the Student Support Services team at the Kansas State Department of Education monitor the timeliness of the formal complaint process. Each complaint is date stamped upon receipt. A calendar entry is made on the 30th day after receipt of the complaint. If a complaint is not completed by the 30th day from receipt of the complaint, an inquiry is made.

As outlined in state regulation KAR 91-40-51(a)(5) the Kansas State Board of Education can impose sanctions if corrective action required by a formal complaint are not implemented. According to state regulation any combination of the four sanctions below may be imposed, including:

- (A) The issuance of an accreditation deficiency advisement;
- (B) The withholding of state or federal funds otherwise available to the agency;
- (C) The award of monetary reimbursement to the complainant; or
- (D) Any combination of the above sanctions.

Systemic Issues

The complaint investigation assesses whether the evidence in a complaint indicates that there may be a systemic issue. If the evidence indicates that there may be a systemic issue, the school district is notified and required to respond to the SEA.

Baseline Data for FFY 2004 (2004-2005):

Nine-Six percent (96%) of complaints were resolved within the 60-day timeline or a timeline extended for exceptional circumstances. Table 16.1 below demonstrates the baseline data collected.

Table 16.1 Formal Complaints FFY 2004

# of Complaints Received	# of Reports with Findings	# of Reports within a timeline	# of reports within an extended timeline	% of complaints resolved
27	18	26	0	96

Discussion of Baseline Data:

As shown in Table 16.1, 96% of signed written complaints with reports issued were resolved within 60-day timeline. One clarification for Kansas data must be made. As a state, we report that there were 26 reports within a timeline and 0 within an extended timeline, yet we report that 96% of the complaints are resolved within the timeline. One complaint was filed by a parent in late May with school just dismissing for the summer. The complaint investigator contacted school administrators but it took some time to obtain the necessary information. This complaint investigator issued a report with findings in 38-days. This circumstance was **not** deemed to be an exceptional circumstance by our legal representative. However, under State law a parent has 10 days in which to appeal. State statutes do not permit counting Saturdays and Sundays, and adds three additional dates when an appeal is made by mail. The appeal of this complaint was received 15 days after the report was issued. KSDE attempted to schedule an appeal hearing within the 60 day time line, but could not so

because the parent was not able to attend an earlier hearing. Although all complaints filed for FFY 2004, 27 total were complaints with reports issued that were resolved within the 60-day timeline, one appeal extended to 63 days.

In reviewing past data, the number of formal complaints over the past 5 years shows no specific trend. In fact the number of complaints for this baseline year dropped to a five-year low. However, the number resolved within a 60-day timeline or within an extended timeframe has remained high with a five year average of 99%.

As can be seen, the process for resolving a dispute through formal complaints has been completed in a timely manner during the last several years.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .
2006 (2006-2007)	By 2006, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .
2007 (2007-2008)	By 2007, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .
2008 (2008-2009)	By 2008, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .
2009 (2009-2010)	By 2009, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .
2010 (2010-2011)	By 2010, signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint will be 100% .

Improvement Activities/Timelines/Resources:

At the state level, the SEA is examining procedures to determine where changes may need to occur in the future. However, at this time, the State of Kansas is confident that the current system works well given our consistently high rate of resolving complaints and complaint appeals within the established timeline. In an effort to ensure that formal complaints continue to be investigated and reports with findings are issued within the timeline, a list of activities has been developed to help guide this process.

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Conduct complaint investigator training and provide specified timelines	X	X	X	X	X	X	The KSDE SSS legal consultant External complaint investigators
2. Establish a system to alert complaint investigators that a complaint due date is approaching		X					The KSDE SSS legal consultant
3. Begin and continue to use system to alert complaint investigators that a complaint due date is approaching		X	X	X	X	X	The KSDE SSS legal consultant
4. Develop flow chart of the rigorous review process of complaint investigator findings		X					State Legal representative SSS Legal consultant State Director of Special Education
5. Enhance dispute resolution database so that it supports queries and reports	X						SSS Legal consultant KSDE programmer

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 17: Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = $(3.2(a) + 3.2(b))$ divided by (3.2) times 100.

Overview of Issue/Description of System or Process:

For a number of years the KSDE has had in place, systems for addressing dispute resolution. Currently Kansas has in place a system for addressing due process hearings which aligns with both Federal and State Special Education regulations. Kansas plans to address this indicator by describing the following:

- State and Federal procedures and regulations to guide due process hearing requests to fully adjudicate within the 45-day timeline
- Quality monitoring procedures to ensure the timely and effective implementation of complaint decisions
- Quality monitoring procedures to analyze complaint decisions to determine if systemic issues are present

State and Federal procedures and regulations to guide due process hearing requests to fully adjudicate requests within the 45-day timeline

In Kansas school districts and parents of children with disabilities have the right to file for a due process hearing to resolve disputes over a child's identification, evaluation, educational placement or provision of a free appropriate public education. From the time of receipt of a request for a due process hearing, a Special Education Due Process Hearing Officer in the State of Kansas has 35 calendar days, KSA 2-973(c), to conduct the due process hearing. The hearing officer must send a copy of the written decision to both parties involved, within 10 days of the close of the hearing (KSA 72-973(h)). The State of Kansas requires that Special Education Due Process Hearing Officers conduct due process hearings as required by Federal and State laws (34 CFR 300.507-512, KSA 72-973, to KSA 72-975) and KSA New Section 8. Specifically outlined below are additional guidelines that fall under the 45-day timeline that help to ensure that due process hearing requests are fully-adjudicated within the established 45-day timeline or a timeline that is extended by the hearing officer.

Upon notification of a due process hearing request, school personnel are required to inform the parents of low-cost legal services and provide a copy of the Parent Rights document. According to State Regulations KAR 91-40-28, the LEA has 5 business days from the receipt of notification for a due process hearing to provide the parents written notification that the parents may disqualify any or all hearing officers and ask that the state board appoint a hearing officer. The provisions of the laws and the requirements of subsection KAR 91-4-28 and 34 CFR 300.507 specifically address the filing for due process outlining the responsibilities of the LEA, the SEA, and the parent.

State statutes (KSA 72-973 and KSA 72-974) state that the hearing officer do two things following the close of the hearing. First, s/he shall render a decision including any findings and conclusions not later than 10 days after the close of the hearing and second, s/he must prepare a written decision within 24 hours and provide copies to school personnel and parents of the child (KSA 72-974(a)). If the decision of the hearing officer does not meet the satisfaction of educational professionals or the parents, either party may file a notice of appeal to the Commissioner of the SEA within 30 calendar days of the decision. In accordance with the requirements of KSA 72-974 and 72-975 a review officer appointed by the State Board of Education is responsible for conducting an impartial review of the hearing and reach an independent decision within 20 calendar days after the appeal is filed. The decision must be completed and forwarded

to both school personnel and parents. It should be noted, however, that Federal Regulations, at 34 CFR 300.511(c) allow a hearing officer or a state review officer to grant specific extensions of time at the request of either party.

Baseline Data for FFY 2004 (2004-2005):

During our baseline year, there were 76 hearing requests, 0 decisions were made within the 45 day timeline, and 1 decision was made within the extended timeline. However, only one case was fully adjudicated. Of the total decisions rendered in fully adjudicated hearings, 100% were fully adjudicated within the 45-day timeline or a timeline that was properly extended by the hearing officer at the request of either party.

Table 19.1 Due Process Hearings FFY 2004

Number of hearing requests	Number of Fully adjudicated hearings	Number Resolved without a hearing	Decisions within timeline	Decisions within extended timeline	Total Percent Fully adjudicated within timeline
76	1	75	0	1	100

Discussion of Baseline Data:

As mentioned previously, due process hearing extensions are permitted by Federal and state regulations. The results of the statewide data indicate the State's due process hearings are fully adjudicated within established timelines. Although extensions are used, Kansas processes and procedures are completed according to the timelines established.

Although our five year average indicates that it takes approximately 123 days to fully adjudicate a due process hearing request, discussions with the KSDE special education legal issues consultant revealed that the reasons for such a lengthy time are in part due to the fact that each of these hearings were granted an extension(s) of time due to a request made by one of the parties involved.

The Kansas State Department of Education strives to meet the expectations of the Federal government as well as needs of its students; the state thus aims to maintain a 100% average of fully adjudicated due process hearing requests within the 45-day timeline or a timeline that is properly extended.

Federal Regulations at 34 CFR 300.661(c)(3), and State Regulations, at KAR 91-40-51(a)(1)(A), permit a prevailing party in a due process hearing to file a complaint with the SEA if the prevailing party believes that the other party has failed to comply with the hearing decision. No party has ever filed such a complaint in Kansas.

KSDE reserves the right to study and utilize OSEP's recent guidance on establishing targets for this indicator.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .
2006 (2006-2007)	By 2006, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .
2007 (2007-2008)	By 2007, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .
2008 (2008-2009)	By 2008, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .
2009 (2009-2010)	By 2009, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .

FFY	Measurable and Rigorous Target
2010 (2010-2011)	By 2010, the percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party will be 100% .

Improvement Activities/Timelines/Resources:

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Train all hearing officers on expectations including adherence to timelines	X	X	X	X	X	X	The KSDE SSS legal consultant Hearing officers
2. Require a copy of all hearing extension of time requests be submitted to KSDE		X	X	X	X	X	The KSDE SSS legal consultant Hearing officers

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 18: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = 3.1(a) divided by (3.1) times 100.

Overview of Issue/Description of System or Process:

As directed by IDEA 2004 Section 615(f)(1)(B), it is the LEAs responsibility to convene a meeting with the parents and relevant IEP team members whenever a parent requests a due process hearing, and offer a chance to resolve the issue before going to due process. During the school year 2005-2006, KSDE will begin collecting data regarding the number of resolution sessions that were held and the number in which issues were resolved through resolution session settlement agreements. It is the responsibility of the LEA to report its data to the SEA. However, if the KSDE has not received notice from an LEA within 20 school days of the notice of the parent’s complaint regarding the result of the resolution session, KSDE will contact the LEA via phone and/or a letter, and request that it send the results of the resolution session information to the KSDE.

Baseline Data for FFY 2004 (2004-2005):

This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2007.

Discussion of Baseline Data:

This is a new indicator. Baseline and targets will be provided in the FFY 2005 APR due February 1, 2007.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	
2006 (2006-2007)	
2007 (2007-2008)	
2008 (2008-2009)	
2009 (2009-2010)	
2010 (2010-2011)	

Improvement Activities/Timelines/Resources:

Using baseline data collected in the FFY 2005 improvement activities will be designed to address this indicator.

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 19: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

Percent = (2.1(a)(i) + 2.1(b)(i)) divided by (2.1) times 100.

Overview of Issue/Description of System or Process:

Kansas has several options for resolving disputes regarding special education issues among parents and education agencies. These options include informal telephone consultations, as well as more formal options such as filing a formal complaint, filing for due process, or requesting mediation. No statewide formal process for mediation was in place prior to 1997.

Federal regulations (34 CFR 300.506) require the KSDE to establish mediation procedures. The provisions for special education mediation in Kansas are located in statute at KSA 72-996. Kansas statutes and regulations KSA 72-996, KAR 91-40-28, and 91-40-29, have established the following provisions for special education mediation in the state: (a) establish procedures to resolve disputes through mediation, (b) ensure that the procedure is voluntary for both parties, not used to deny or delay a parent's right to due process and conducted by an impartial third party mediator trained in effective techniques, (c) the state board shall provide a list of qualified mediators, (d) the state board shall bear the cost of the mediation process, (e) sessions are timely and held in a location convenient to all parties, (f) an agreement by all parties shall be written and (g) all discussions occurring during mediation shall remain confidential and not be used as evidence in subsequent due process hearings or civil proceedings.

Districts are required to send results of mediation to the KSDE and identify issues addressed in mediation.

The KSDE policies and procedures align with both federal regulations and state statutes and regulations. To ensure compliance with both state and federal regulations the Kansas State Department of Education, Student Support Services division, monitors and tracks all mediation processes.

Baseline Data for FFY 2004 (2004-2005):

During FFY 2004, 51% of mediation requests resulted in mediation agreements. See Table 19.1 below for FFY 2004 baseline data.

Table 19.1 Mediations FFY 2004

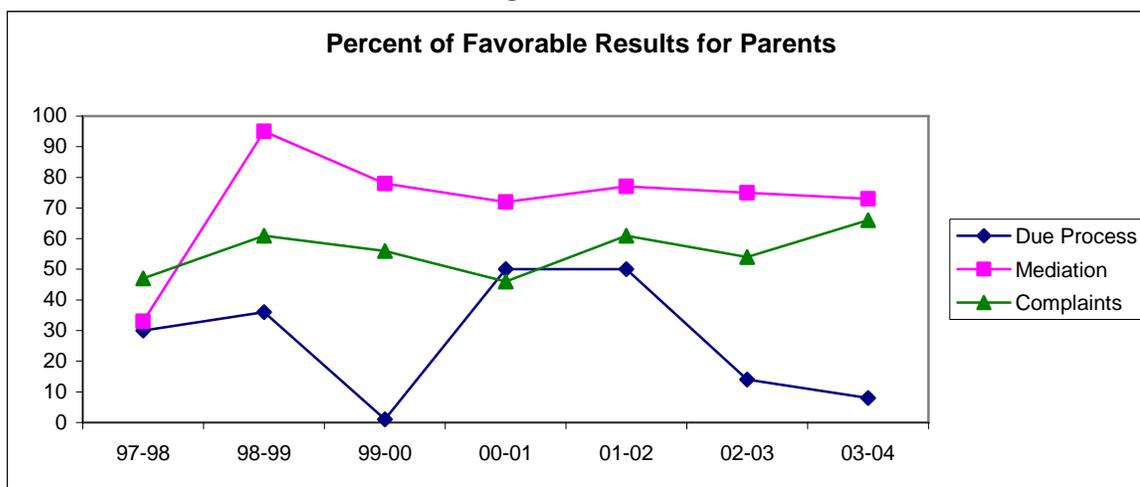
# of Mediations Requested	# of Mediations held	Mediations relating to due process	Mediations not related to due process	Total number of mediation agreements (Mediation agreements relating to due process + agreements not related to due process)	Percent of mediations resulting in mediation agreements
37	31	20	17	19	51%

Discussion of Baseline Data:

FFY 2004 baseline data reveal a decrease in the percent of mediations resulting in agreements from the previous year of 76% to SPP baseline year at 51%. In reviewing the data from the last 5 years it appears that the number of mediations has varied with a 5 year average of 41 mediations and 76% mediations agreements. It is difficult to explain why there has been a decrease for FFY 2004, in the number of mediations resulting in agreements since mediators are not KSDE employees.

Compared to other conflict resolution procedures for the State of Kansas, mediations appear to be a favorable option to both parents and education agencies given that it is a process with no monetary cost to the parties. Chart 19.1 below, displays which conflict resolution procedures have produced favorable results for parents.

Figure 19.1



FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, the target is that 75% of mediations held, result in an agreement.
2006 (2006-2007)	By 2006, the target is that 76% of mediations held, result in an agreement.
2007 (2007-2008)	By 2007, the target is that 77% of mediations held, result in an agreement.
2008 (2008-2009)	By 2008, the target is that 78% of mediations held, result in an agreement.
2009 (2009-2010)	By 2009, the target is that 79% of mediations held, result in an agreement.
2010 (2010-2011)	By 2010, the target is that 80% of mediations held, result in an agreement.

Improvement Activities/Timelines/Resources:

At the state level, the KSDE is examining existing practices, policies and procedures to determine where changes need to occur to address mediations and mediations resulting in agreements. Below is a table charting the activities Kansas expects to use, the timeframe for which these activities will be completed and the resources that will be used to ensure that the processes in place have an appropriate affect for Kansas children

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Review criteria for mediators	X	X					The KSDE SSS legal consultant SSS team Special Education Director
2. Update mediation database to include mediator and percent of cases successfully mediated by the mediator		X					The KSDE SSS legal consultant
3. Track mediator success rate and analyze their percent of resolutions and look for trends in data		X	X	X	X	X	The KSDE SSS legal consultant
4. Establish follow-up questions for those involved in mediation to determine participant satisfaction/feedback		X					The KSDE SSS legal Consultant Education Program Consultants

Part B State Performance Plan (SPP) for 2005-2010

Overview of the State Performance Plan Development: See Overview of the Kansas State Performance Plan.

Monitoring Priority: Effective General Supervision Part B / General Supervision

Indicator 20: State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.

(20 U.S.C. 1416(a)(3)(B))

Measurement:

<p>State reported data, including 618 data and annual performance reports, are: Submitted on or before due dates (February 1 for child count, including race and ethnicity, placement; November 1 for exiting, discipline, personnel; and February 1 for Annual Performance Reports); and a. Accurate (describe mechanisms for ensuring accuracy).</p>

Overview of Issue/Description of System or Process:

The State of Kansas has a reputation for providing “clean” special education data and will continue to respond within the timelines established by OSEP and Westat. Data are submitted and verifications are completed in a timely manner. Practices to guide timely data and monitoring procedures to guide accurate data include:

- Building and sustaining databases that support the mission of the KSDE Student Support Services team.
- Providing training and technical assistance to support districts in collecting and submitting accurate and timely data.

Currently the State of Kansas relies on separate databases to access data on students with disabilities. The State data system uses LEAMIS at the district level to collect child count, including race and ethnicity; placement and discipline data. It is specifically designed to manage data for students on IEP’s and is used to populate the State Education Agency Management Information System (SEAMIS). Corrections and updates are being made to the LEAMIS and SEAMIS databases to ensure greater accuracy.

Assessment data are obtained from the Center for Educational Testing and Evaluation, (CETE), which collects and stores the state’s assessment data.

In an effort to improve our system of data collection, Kansas has been working diligently to develop a student-level database system called the Kansas Individual Data on Students, (KIDS). With this new system KSDE will continue to improve procedures for ensuring the accuracy of data. This comprehensive general education system will vastly improve access to student data at all levels and allow for comparisons and cross-checks that have not been possible in past years. This new system also will help to reduce the data burden on LEA’s and encourage a reliable method of reporting state data. The KSDE is working to ensure districts will report data only once to KSDE. KIDS will not be a stand alone system nor will it replace the MIS data system but rather it will work in conjunction with this system, with the goal being to produce accurate data for all students in Kansas. Presently the (KIDS) is up and running and KSDE will continue to monitor the submission of the data and verify that this new system is producing the desired results.

To ensure that data provided by the LEAs are submitted timely and accurately, the KSDE provides LEA’s with the expected timelines for data collection at the beginning of the year, training in 618 MIS data collection and technical assistance in areas where LEA’s demonstrate non-compliance.

Additional methods to verify the accuracy of state data occurs by checking for anomalies in the data through verification checks and report analysis. Verification reports are built into the LEAMIS and SEAMIS data systems. Discrepancies in the data are flagged, returned to the LEA and a response and/or correction for each discrepancy is required.

Additional data sources for the SPP are identified in the Overview for the SPP.

Baseline Data for FFY 2004 (2004-2005):

Table 20.1 Timelines for Data Submission

MIS timeline	Due Date	Submission Date for Baseline Data by KSDE 2004-2005
Child Count	February 1	February 1, 2005
Race	February 1	February 1, 2005
Ethnicity	February 1	February 1, 2005
Final Placement	February 1	February 1, 2005
Personnel	November 1	November 1, 2004
Exit	November 1	November 1, 2004
Discipline	November 1	November 1, 2004

Discussion of Baseline Data:

Baseline data indicate that Kansas is meeting the goal of delivering data accurately and timely. All federally required data have been submitted by the set deadlines for the last three years and will continue to be submitted by or before the deadline.

FFY	Measurable and Rigorous Target
2005 (2005-2006)	By 2005, 100% of State reported data are timely and accurate.
2006 (2006-2007)	By 2006, 100% of State reported data are timely and accurate.
2007 (2007-2008)	By 2007, 100% of State reported data are timely and accurate.
2008 (2008-2009)	By 2008, 100% of State reported data are timely and accurate.
2009 (2009-2010)	By 2009, 100% of State reported data are timely and accurate.
2010 (2010-2011)	By 2010, 100% of State reported data are timely and accurate.

Improvement Activities/Timelines/Resources

Kansas has made remarkable progress in building data collection systems that minimize the collection burden on clerks and provide reliable data. As a state we continue to examine methods for collecting and reporting data. The SPP requires additional data so KSDE is planning to roll-out the procedures, instruments and technology for collecting early childhood outcomes data, post-school outcomes data, and more accurate suspension/expulsion data in the near future.

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
1. Ensure accuracy of data collection by reviewing processes and procedures currently in place	X	X	X	X	X	X	The KSDE Special Education Data Control Manager The KSDE Research and Planning Team and the Information Technology (IT) teams The KSDE Student Support Services Team Collaborate work with Part C, KDHE

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
2. Implement Data Sharing cross-walk system from Part C to Part B	X						The KSDE Special Education Data Control Manager Part C Data Manager
3. Launch KIDS database which will provide every student with a unique identification number so KSDE can match and track data and access accurate and timely educational information for individual students	X						The KSDE Research and Planning Team and IT teams.
4. Develop new web-enabled SEAMIS and LEAMIS that is compatible with other KSDE systems			X				The KSDE Research and Planning Team and IT teams KSTARS
5. Integrate KIDS database with SEAMIS		X					The KSDE Research and Planning Team and IT teams KSDE Special Education Data Control Manager
6. Make corrections and updates to LEAMIS and SEAMIS database as needed	X	X	X	X	X	X	The KSDE Special Education Data Control Manager
7. Provide TA to districts to ensure accurate and timely data is submitted to the SEA	X	X	X	X	X	X	Kansas Statewide Technical Assistance Resources System (KSTARS)– Northeast Kansas Educational Service Center (NEKESC) The KSDE Special Education Data Control Manager
8. Develop discipline database (KanDis)	X						The KSDE Research and Planning Team
9. Implement and continue to use KanDis database to track discipline and provide training to use the system		X	X	X	X	X	The KSDE Research and Planning Team
10. Develop and implement database to monitor responses to PSO data, SPP indicator 14, and provide training for how to collect the data		X	X	X	X	X	The KSDE Transition Specialist Transition Summit Members The KSDE Research and Planning Team The KSDE SSS Computer Programmer
11. Develop and implement database for Early Childhood outcomes data, SPP indicator 7		X	X	X	X	X	KSDE Early Childhood Education Program Consultant Project SPOT KITS
12. Develop and implement Parent Survey, SPP indicator 8	X	X	X	X	X	X	KSDE early childhood consultant Project SPOT NCSEAM

Improvement Activities	Timelines						Resources
	FFY Year(s) When activities will occur						
	05	06	07	08	09	10	
13. Ensure necessary data are collected for the other new SPP/APR indicators, 4b, 7, 8, 9, 10, 11, 13, 14, 18 so they can be reported in February 2007	X	X					KSDE Transition Consultant Early Childhood Education Consultant
14. Design and develop a database system that will manage district-level SPP information with particular attention to performance indicators that require analysis of data, policies, procedures and practices prior to determining compliance and noncompliance	X	X	X	X	X	X	KSDE computer programmers KSDE SSS Data Control Manager
15. Update and redesign the Legal Requirements Data to comply with IDEA 2004, FAM file review procedures, and integrate with other data systems	X	X					KSDE SSS Legal Consultant KSDE SSS programmer
16. Update and improve the Education Advocate database for efficiency	X						KSDE programmer Families Together
17. Continue and increase sharing of aggregate reports about special education issues among organizations	X	X	X	X	X	X	KSDE consultants Families Together Keys for Networking Vocational Rehabilitation Foster Care networks
18. KSDE will submit FFY 2004 data for graduation rates, indicator 1, and dropout rates, indicator 2, and 12 as instructed by OSEP. Data were not available by Dec. 2, 2005	X						KSDE

Report of Dispute Resolution Under Part B of the Individuals with Disabilities Education Act Complaints, Mediations, Resolution Sessions, and Due Process Hearings

SECTION A: Signed, written complaints	
(1) Signed, written complaints total	41
(1.1) Complaints with reports issued	27
(a) Reports with findings	18
(b) Reports within timeline	26
(c) Reports within extended timelines	0
(1.2) Complaints withdrawn or dismissed	14
(1.3) Complaints pending	0
(a) Complaint pending a due process hearing	0

SECTION B: Mediation requests	
(2) Mediation requests total	37
(2.1) Mediations	
(a) Mediations related to due process	17
(i) Mediation agreements	14
(b) Mediations not related to due process	14
(i) Mediation agreements	5
(2.2) Mediations not held (including pending)	6

SECTION C: Hearing requests	
(3) Hearing requests total	76
(3.1) Resolution sessions	0
(a) Settlement agreements	0
(3.2) Hearings (fully adjudicated)	1
(a) Decisions within timeline	0
(b) Decisions within extended timeline	1
(3.3) Resolved without a hearing	75

SECTION D: Expedited hearing requests (related to disciplinary decision)	
(4) Expedited hearing requests total	2
(4.1) Resolution sessions	0
(a) Settlement agreements	0
(4.2) Expedited hearings (fully adjudicated)	0
(a) Change of placement ordered	0