Kansas Integrated Accountability System (KIAS) Investigative Questions for State Performance Plan Compliance Indicators

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STATE DEPARTMENT OF
EDUCATION

MISSION

To prepare Kansas students for lifelong success through rigorous, quality academic instruction, career training and character development according to each student's gifts and talents.

VISION

Kansas leads the world in the success of each student.

MOTTO

Kansans Can

SUCCESS DEFINED

A successful Kansas high school graduate has the

- Academic preparation,
- Cognitive preparation,
- Technical skills,
- Employability skills and
- Civic engagement

to be successful in postsecondary education, in the attainment of an industry recognized certification or in the workforce, without the need for remediation.

OUTCOMES

- Social-emotional growth
- Kindergarten readiness
- Individual Plan of Study
- Civic engagement
- Academically prepared for postsecondary
- High school graduation
- Postsecondary success

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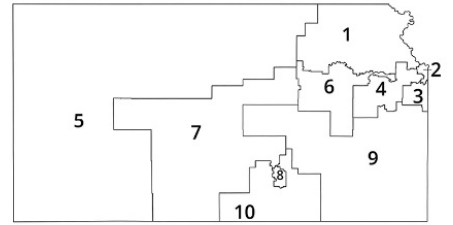
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Contents

Kansas Integrated Accountability System (KIAS) Investigative Questions for State Performance Plan Compliance Indicators Introduction

Investigative Questions

Purpose

The purpose of this document is to provide questions a local team may consider to identify and analyze factors contributing to noncompliance. The contributing factors provide a hypothesis for further data analysis so that the root cause(s) may be discovered and provide for the development of meaningful strategies. The root cause(s) and the meaningful strategies can be used for completing the District Corrective Active Plan (DCAP) or can be used before noncompliance is identified as a preventative measure.

Using the Document

It is recommended that a local team of parents, teachers, administrators, and other stakeholders relevant to the areas of noncompliance/concern be convened to use the questions contained in this document. Suggested questions are categorized into two main areas: (1) Policies/Procedures and (2) Providers/Practice. The questions provided are examples of the types of questions a team would consider in analyzing factors contributing to the noncompliance identified. This is not meant to be an exhaustive list of questions and local teams may consider additional questions. Some questions are designed to analyze adequacy of local management and oversight while others are geared for gathering information from administrators, teachers, and about actual practices.

This document includes investigative questions for State Performance Plan (SPP) indicators 4b, 9, 10, 11, 12, 13; as well as IDEA and Gifted Requirements file reviews. A local team would only complete analysis in areas of noncompliance or concern. However, consideration should be given to the fact that many of the factors and strategies identified for one area may in fact impact performance in other areas.

Technical assistance provided through Kansas' Technical Assistance System Network (TASN) is available to support districts in meeting state and federal requirements. Upon district request or KSDE direction, Technical Assistance Team (TAT) providers deliver both general and targeted support to districts as data are analyzed and plans for improvement are developed, implemented, and evaluated. More information regarding technical assistance can be located at: www.ksdetasn.org.

Questions for Indicator 4B

<u>SPP/APR Indicator 4B:</u> Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures of practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards. (20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Policies/Procedures	Provider/Practice
Are the district's policies and procedures periodically reviewed and updated based on relevant discrepancy data? • What does the district data show concerning disproportionate representation of racial/ethnic groups in suspensions and expulsions? • What does the district data show in terms of a relationship between office referrals, suspension, and expulsion and referrals for evaluation? Does the district have policies and procedures for prevention and intervention prior to office referrals for discipline? Do district behavior policies and procedures incorporate awareness of student needs, including conducting Functional Behavioral Assessments (FBA) and development and implementation of Behavior Intervention Plans (BIP)? Does policy allow for the suspension and/or expulsion of a student for conduct other than behavior (i.e., dress code)? How are the policies and procedures provided to all employees, including new employees? Are district policies and procedures on code of conduct sensitive to diverse cultures?	Do providers apply policies and procedures about prevention and intervention prior to office referrals? Do behavior intervention plans reflect application of PBIS? Do providers know: • How to conduct an FBA? • Discipline procedures pursuant to state and special education law? Do providers receive professional development and coaching on the application of positive behavior interventions and supports?

Questions for Indicators 9/10

<u>SPP/APR Indicator 9</u>: 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))

<u>SPP/APR Indicator 10</u>: 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))

Policies/Procedures	Provider/Practice
Does the district have policies and procedures that address appropriate evaluation and identification? • Are the policies and procedures periodically reviewed and updated based on relevant disproportionate representation data? • How are the policies and procedures provided to all employees, including new employees? Does your district consider prevention and intervention strategies at the general education level as a viable means of addressing disproportionate representation? Do schools provide an effective system of school-wide, classroom, small group and individualized supports. Do the screening and GEI processes work effectively and consistently across the district to address the disproportionate disability category or race /ethnicity? Are the assessment measures sensitive to culturally diverse practices or culturally diverse students? Does the district have policies and procedures that address students who transfer into the district? Do these policies and procedures ensure consideration of factors contributing to potential inappropriate identification?	Do providers consider the following with evaluation and identification: • For students who are referred, do data support the referral? • Are assessment and other evaluation materials provided and administered in the child's native language or other mode of communication and in a format most likely to yield accurate information on what the child knows and can do? • Are assessment and other evaluation materials selected and administered so as to be nondiscriminatory with respect to language, culture, race, and gender? Do providers have appropriate training in administering and interpreting assessment measures?

Questions for Indicator 11

<u>SPP/APR Indicator 11</u>: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, with that timeframe. (20 U.S.C. 1416(a)(3)(B)), in Kansas 60 days is 60 school days as per K.A.R. 91-40-8(f) (g)

Policies/Procedures	Provider/Practice
Do we have clear policies and procedures in place regarding obtaining parental consent for evaluation and completing the evaluation within 60 school days? Do we have local timelines established for activities that are not defined by the State? If so, do we meet these timelines? Are our assessment tools designed to gather relevant information about what the child knows and can do academically, developmentally, and functionally? Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers have the necessary knowledge and skills to complete all required activities; from obtaining parental consent through the evaluation process? Do providers know based upon review of student records what was the contributing factor for the delay in providing the initial evaluation within the 60-school day?

Questions for Indicator 12

<u>SPP/APR Indicator 12</u>: 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. (20 U.S.C. 1416(a)(3)(B))

Policies/Procedures	Provider/Practice
How do we ensure that children referred by Part C are found eligible for Part B, if appropriate, and have an IEP developed by their third birthday?	Do our providers have the necessary knowledge and skills to implement policies and procedures related to completing all required activities -- from referral through developing the IEP?
Do we have clear policies and procedures in place regarding obtaining parental consent for evaluation, completing the evaluation within 60 school days determining eligibility, and developing an IEP prior to the child's third birthday?	Based on a review of child records, including those where the IEP is not developed by the child's third birthday, and/or other available local data:
Does the number of days between each activity, as specified in our procedures, ensure that the IEP is developed by the child's third birthday?	• How many days from referral was parental consent obtained for evaluation? • How many days from parent consent was the evaluation completed? • How many days from completion of the evaluation was eligibility determined? • How many days from eligibility was the IEP completed?
Do we provide opportunities for providers to receive training and TA?	• What percent of the delays are related to parents not providing consent for the evaluation?
Do we have adequate numbers of personnel to develop IEPs by children's third birthdays? If not, what are we doing to recruit and retain qualified personnel?	• What percent of the delays are related to not completing evaluations in a timely manner? What are the reasons for those delays?
Do we have adequate coordination with Part C programs to ensure we receive referrals in sufficient time to conduct the evaluation and develop the IEP by the child's third birthday? Do we have mutually agreed upon timelines and procedures with Part C?	• What percent of the delays are related to late referrals from Part C providers (not due to parent delay)?
Do we have a memorandum of agreement (MOA) or other written policy to address the coordination, timelines and procedures?	• In looking at disaggregated data, is there a difference in timeliness based on specific personnel who provide evaluations? Based on some other variable in our program? What were the reasons?

Policies/Procedures	Provider/Practice
Do we coordinate with Part C programs in accessing and using existing information and evaluations of the child to assist us in having the IEP by the third birthday? Is our monitoring and supervision adequate for this requirement (e.g., are we tracking referrals, including when the referrals are made and the reason for "late referrals" in order to manage development of IEP by the child's third birthday)? Did we know we had a problem with our performance for this indicator before the State issued a finding? Do we have valid and reliable data available to address this indicator?	Based on provider interviews: - Why do our providers think we have delays in this area? - What solutions do they think will address this issue? - Do providers know how to include families in the IEP process, information sharing, and team decisions? - Do providers know how to adapt the IEP process for culturally or linguistically diverse families?

Questions for Indicator 13

<u>SPP/APR Indicator 13</u>: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age-appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority. (20 U.S.C. 1416(a)(3)(B))

Is there an appropriate measurable postsecondary goal or goals for Education/Training?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored? Are there district procedures in place for: • Providing assessment of the post-secondary education and training interests of the student? • Providing youth with disabilities the skills, services, and supports to successfully complete high school as well as enroll in and complete postsecondary education or training programs? • Supporting youth with disabilities to enroll in academic and general education classes that will prepare them for success in postsecondary education and training programs? • Informing youth and their parents about postsecondary education/training programs? • Providing opportunities for youth to learn about postsecondary education/training programs?	Do providers know what to consider when developing the goal(s): • Can the goal for post-secondary education and training be measured or counted? • Based on the information available about this student, does the post-secondary goal for education and training seem appropriate? • Are the student's strengths, interests, preferences, and needs taken into consideration in the development of this measurable post-secondary goal? • Does the goal for post-secondary education and training state that it will occur *after* the student graduates or completes high school? • Does the goal for post-secondary education and training state (the student's name) *will* enroll/attend a post-secondary training opportunity? • Are parents and youth engaged as active participants in the decision-making process relative to identifying post-school goals for further education?

Is there an appropriate measurable postsecondary goal or goals for Employment?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored? Are there district procedures in place for: • Providing assessment of the employment interests of the student? • Providing services that contribute to youth becoming competitively employed once they exit school (e.g., job coaches, agreement with the local vocational rehabilitation office, etc.)? • Supporting paid, work-based learning opportunities for youth with disabilities while they are in high school (e.g., provide Carnegie unit credit, provide transportation to and from worksites, etc.)? Providing unpaid work-based learning opportunities to youth with disabilities while they are in high school?	Do providers know what to consider when developing the goal(s): • Can the goal for employment be measured or counted? • Based on the information available about this student, does the post-secondary goal for employment seem appropriate? • Are the student's strengths, interests, preferences, and needs taken into consideration in the development of this measurable post-secondary goal? • Does the goal for employment state that it will occur *after* the student graduates or completes high school? • Does the goal for employment state (the student's name) *will* work in a place of employment? • Are parents and youth engaged as active participants in the decision-making process relative to identifying post-school goals for employment?

Is there an appropriate measurable postsecondary goal or goals for Independent Living?

Note: this question is optional. A measurable post-secondary goal for independent living is only necessary if the team has determined it is needed.

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored? Are there district procedures in place for: - Providing assessment of the independent living interests of the student? - Providing youth with disabilities the skills, services, and supports to successfully complete high school and pursue independent living opportunities? - Supporting youth with disabilities to work with various agencies that provide independent living services for adults with disabilities? - Informing youth and their parents about independent living options and opportunities - Providing opportunities for youth within school to acquire independent living skills?	Do providers know what to consider when developing the goal(s): - Can the goal for independent living be measured or counted? - Based on the information available about this student, does the post-secondary goal for independent living seem appropriate? - Are the student's strengths, interests, preferences, and needs taken into consideration in the development of this measurable post-secondary goal? - Does the goal for independent living state that it will occur *after* the student graduates or completes high school? - Does the goal for independent living state (the student's name) *and where/how he or she will* be living? - Are parents and youth engaged as active participants in the decision-making process relative to identifying post-school goals for independent living?

Is the postsecondary goal(s) updated annually?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored?	Do providers know what to consider when updating the postsecondary goal(s) annually: - After review of the postsecondary goals, does the team consider whether the postsecondary goals need to be changed or whether the goals are still appropriate for the student? - Are parents and youth engaged as active participants in the decision-making process relative to updating post-school goals? - Are the student's strengths, interests, preferences, and needs taken into consideration in the annual update of measurable post-secondary goal(s)?

Is there evidence that the measurable postsecondary goals were based on age-appropriate transition assessment?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored? Does the district provide the resources that personnel need to implement this requirement including providing a variety of age-appropriate transition assessments? Are there district procedures in place for: • Assessing the student's strengths, needs, preferences, and interests related to their goals after high school? • Using transition assessments to help the IEP team develop the student's measurable post-secondary goal(s)? • Giving new assessments as the student's interests, strengths, and preferences change at *each IEP?*	Do providers know the documentation requirements? • Is the use of age-appropriate transition assessments that inform the measurable post-secondary goals mentioned in the IEP or evident in the student's file? • Is there information located in the IEP or other student file documents where age-appropriate transition assessments are identified, and results are reported? • Is there documentation in the student's file that age-appropriate transition assessments have been given that inform each of the current IEP's measurable post-secondary goals? Are the Individual Plan of Study assessment results incorporated within the student's IEP?

Are there transition services in the IEP that will reasonably enable the student to meet his or her postsecondary goal(s)?

Policies/Procedures	Provider/Practice

Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable?
 	
How is knowledge of this requirement provided to all employees, including new employees?
 	
How is correct implementation of this requirement monitored?
	Do providers know the documentation requirements:
	
	• Is some type of activity considered under each of the following areas under transition services:
	   o Instruction,
	   o related services,
	   o community experience, development of employment and other post-school adult living outcomes, and if appropriate: acquisition of daily living skills and the provision of a functional vocational evaluation.
	• Is there a listed transition service area and associated activity that assists in meeting each of the listed measurable post-secondary goals?
	• Are the transition services and corresponding activities presented as a coordinated plan for the transition from school to post-school environments?
	
	Do providers consider:
	
	• Are the parents and youth actively involved in the decision making of which transition service areas and activities are appropriate?
	• How are student opportunities provided for transition service activities?
	• When a transition service activity is experienced by the student, how is it recorded and used in the development of the next IEP?

Do the transition services include courses of study that will reasonably enable the student to meet his or her postsecondary goal(s)?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored?	Do providers know the documentation requirements: • Do the transition services include a course of study? • Do the courses of study provide a multi-year description of the coursework that is designed to help achieve the student's desired measurable post-secondary goals? • Do the courses in the course of study align with the student's measurable post-secondary goals listed? • Are the courses of study in the student's IPS aligned with courses in the IEP?

Is (are) there annual IEP goal(s) that are related to the student's transition services needs?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored?	Do providers know the documentation requirements? Do providers know how to assess whether the goals relate to the student's measurable post-secondary goals?

Is there evidence that the student was invited to the IEP Team meeting where transition services were discussed?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored?	Do providers know the documentation requirements? • Is there documentation in the IEP or the student's cumulative file that the student was invited to the IEP meeting? 　　o Is there a record or copy in the student's file of a student invitation to the IEP meeting, a telephone log inviting the student to the IEP or a 10-day meeting notice with the student listed as an addressee in the student's file? Do providers consider: • How to support student involvement in the IEP process? • How soon before the IEP does the student need to be invited to support the student's attendance and participation?

If appropriate, is there evidence that a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority?

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement monitored? Are there district procedures in place for developing and updating MOUs with adult service agencies in the community which provide services to individuals with disabilities and their families?	Do providers know the documentation requirements? • If determined appropriate to invite one or more agency representatives, did the parents, or adult student, provide written consent for the invitation prior to the IEP? • Is there evidence on the current IEP signature page or on the 10 day meeting notice form that a representative from any agency that provides services related to one or more of the following areas (but not limited to) was invited to attend the IEP (if deemed necessary by the IEP team): *post-secondary education, vocational education, integrated employment, continuing or adult education, adult services, independent living, or community experiences?*

Questions for IDEA & Gifted File Review

Question 1: Was a copy of parent rights/procedural safeguards provided to both of the student's parents (or legal education decision-maker) and the student (if the student is 18 or older) in all required instances and in the native language of the parents/adult student or other mode of communication used by the parents/adult student? 34 C.F.R. 300.504(a), (d); 34 C.F.R. 300.520(a)(1)(i); K.S.A. 72-3430(e); K.S.A. 72-3431(a)

Policies/Procedures	Provider/Practice
Are there procedures that outline when the provision of Notice of Parental Rights is required?

Are there procedures that outline how to determine to whom the document will be provided when parents (or legal education decision-maker) are living in separate households and student if 18 or older?

Are there procedures that inform providers how to access the content of applicable documents in the native language of the parents/education decision maker to ensure understanding?

Is there a procedure to ensure that providers document the provision of the Notice of Parental Rights to the parents/education decision maker in the native language of the parents/education decision maker?

Have resources been identified and/or utilized to meet this regulatory requirement?

Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable?

How is knowledge of this regulatory requirement provided to all employees, including new employees?

How is correct implementation of this regulatory requirement monitored? | Do providers know how to access the Notice of Parental Rights document?

Do providers know on what occasions the Notice of Parental Rights must be provided to both of the student's parents (or legal education decision-maker) when parents are living in separate households and student (if 18 or older)?

Do providers know how and where to document the provision of the Notice of Parental Rights in the native language of the parents/education decision-maker?

Do providers have a method to determine when the content of applicable documents needs to be provided in the native language or other mode of communication used by the parents/education decision maker?

Do providers know how to locate both parents or document that one parent cannot be located? |

Question 2: Were the assessments and other evaluation materials used to assess the student (for an initial evaluation or reevaluation) selected and administered so as not to be discriminatory on a racial or cultural basis? 34 C.F.R. 300.304(c)(1)(i); K.A.R. 91-40-9(a)(1)(A)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirement to show that elimination of racial and cultural discrimination was considered when selecting and administering evaluation materials? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers know how and where to document that elimination of racial and cultural discrimination was considered when selecting and administering evaluation materials?

Question 3: Were the assessments and other evaluation materials used to assess the student (for an initial evaluation or reevaluation) provided and administered in the student's native language or other mode of communication? 34 C.F.R. 300.304(c)(1)(ii); K.A.R. 91-40-9(a)(1)(B)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements for administering evaluations in a student's native language or other mode of communication? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers know how and where to document that the evaluations were provided and administered in the student's native langue or other mode of communication? Do providers know how and where to document that it was clearly not feasible to provide or administer the assessments and other evaluation materials in the student's native language or other mode of communication? Do providers know how and where to document what they did to accomplish a nondiscriminatory requirement if it was not feasible to do so in the student's native language or other mode of communication?

Question 4: During the most recent evaluation or reevaluation of the student, was the student assessed in ALL areas related to the suspected exceptionality, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities? 34 C.F.R. 300.304(c)(4); K.A.R. 91-40-9(b)(1)(A)-(H)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers know how to document if all suspected areas were not assessed, including why those not selected were not assessed?

Question 5: If the parent was required to obtain a medical diagnosis as part of the evaluation or re-evaluation, did the public agency pay for it? 34 C.F.R. 300.17(a), 300.34(c)(5); K.A.R. 91-40-1(z)(1), 91-40-1(nn)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements for when a parent was required to obtain a medical diagnosis and the public agency paid for it? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data?

Question 6: Upon completing the most recent evaluation or reevaluation of the student, did a team of qualified professionals AND the parent determine whether the student is a student with an exceptionality? 34 C.F.R. 300.306(a)(1); K.S.A. 72-3428(e)(1)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know the documentation requirements showing who was included as part of the group responsible for determining the student's initial or continued eligibility? Do providers know how to show that all professionals on the team provided input and contributed to the decision? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers know how to involve and document the parents input in the preparation of the evaluation report and at the eligibility meeting?

Question 7: If the student was suspected to have a specific learning disability, did the group responsible for determining (initial or continued) eligibility include ALL of the following? 34 C.F.R. 300.308; K.A.R. 91-40-11(a)

- The student's parents; and
- The student's regular teacher: or if the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of his or her age; or for a child of less than school age, an individual qualified by the SEA to teach a child of his or her age; and
- At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know the documentation requirements? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers know how to involve and document the parents input in the preparation of the evaluation report and at the eligibility meeting?

Question 8: When conducting the evaluation or reevaluation, did the eligibility team ensure that a single procedure, measure or assessment was NOT used as the sole criterion for determining whether the student has an exceptionality and for determining an appropriate educational program for the student? 34 C.F.R. 300.304(b)(2); K.A.R. 91-40-9(a)(8)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements? Do providers have specific responsibilities for gathering, analyzing, and reporting the evaluation or reevaluation data? Do providers document which procedures, measures, or assessments were used to evaluate or reevaluate the student? Do providers document which of these procedures, measures, or assessments were the criteria that the team used to determine the student's eligibility?

Question 9: When interpreting evaluation data to determine if the student is or continues to be a student with an exceptionality and the educational needs of the student, did the team of qualified professionals and the parent draw upon, document, and carefully consider information from a variety of sources including aptitude and achievement tests, parent input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior? 34 C.F.R. 300.306(c)(1)(i)-(ii); K.A.R. 91-40-10(d)(1)-(2)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements? Do providers know the purpose of a written evaluation/reevaluation report? Do providers know how to involve the parent in preparing a written evaluation or reevaluation report? Do providers know to document that the team and the parents drew upon, documented, and carefully considered information from a variety of sources when determining eligibility and the educational needs of the student?

Question 10: Did the group responsible for determining the student's (initial or continued) eligibility ensure that NONE of the following were the determinant factor? 34 C.F.R. 300.306(b)(1)(i)-(iii); K.A.R. 91-40-10(c)

- Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the ESEA as such section was in effect on the day before the date of enactment of the Every Student Succeeds Act (December 9, 2015)); or o "The term 'essential components of reading instruction' means explicit and systematic instruction in-- (A) Phonemic awareness; (B) Phonics; (C) Vocabulary development; (D) Reading fluency, including oral reading skills; and (E) Reading comprehension strategies" Federal Register, Vol. 71, August 14, 2006, p.46646
- Lack of appropriate instruction in math; or
- Limited English proficiency

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are sufficient resources available to providers to meet this requirement?	Do providers know the documentation requirements? Do providers know the purpose of a written evaluation/reevaluation report? Do providers document that the team and the parent examined all of the exclusionary criteria before determining the student is or continues to be a student with an exceptionality?

Question 11: Does the IEP include a description of the student's present level of academic achievement as part of the Present Levels of Academic Achievement and Functional Performance (PLAAFPs)? 34 C.F.R. 300.320(a)(1); K.S.A. 72-3429(c)(1)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement assured/monitored?	Do providers know the 3 required components of the PLAAFPS? 1. Current performance (strengths, weaknesses, social issues...) 2. Impact of exceptionality (instructional/subject levels, assessment scores) 3. Baseline data is provided for EACH identified need. Do providers receive training and coaching on writing PLAAFPS?

Question 12: Does the IEP include a description of the student's present level of functional performance as part of the PLAAFPs? 34 C.F.R. 300.320(a)(1); K.S.A. 72-3429(c)(1)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement assured/monitored?	Do providers know the 3 required components of the PLAAFPS? 1. Current performance (strengths, weaknesses, social issues...) 2. Impact of exceptionality (instructional/subject levels, assessment scores) 3. Baseline data is provided for EACH identified need. Do providers receive training and coaching on writing PLAAFPS?

Question 13: Does the IEP describe how the student's disability or giftedness affects the student's involvement and progress in the general education curriculum as part of the PLAAFPs? For preschool children, as appropriate, does the IEP describe how the disability affects the child's participation in appropriate activities as part of the PLAAFPs? 34 C.F.R. 300.320(a)(1)(i); K.S.A. 72-3429(c)(1)(A)-(B)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement assured/monitored?	Do providers know the 3 required components of the PLAAFPS? 1. Current performance (strengths, weaknesses, social issues…) 2. Impact of exceptionality (instructional/subject levels, assessment scores) 3. Baseline data is provided for EACH identified need. Do providers receive training and coaching on writing PLAAFPS? Do providers receive training and coaching on writing impact statements?

Question 14: Are all of the annual goals in the IEP designed to meet the student's needs that result from the student's disability or giftedness, to enable the student to be involved in and make progress in the general education or advanced curriculum? 34 C.F.R. 300.320(a)(2)(i)(A); K.S.A. 72-3429(c)(2)(A)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this requirement provided to all employees, including new employees? How is correct implementation of this requirement assured/monitored?	Do providers know the requirement for ensuring that every annual goal in the IEP is designed to meet the student's needs that result from the student's exceptionality, to enable the student to be involved in and make progress in the general or advanced curriculum? Do providers receive training and coaching on the direct relationship between the annual goal, baseline data, and the needs identified in the PLAAFPs? Does the IEP clearly document the impact of the disability on the student's participation in the general curriculum?

Question 15: Are all of the annual goals in the IEP measurable? 34 C.F.R. 300.320(a)(2)(i); K.S.A. 72-3429(c)(2)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Are providers given adequate professional time to complete IEP's?	Do providers know the four parts of the measurable annual goal? • Timeframe • Condition • Behavior • Criterion Do providers receive training and coaching on writing measurable annual goal(s)? Do the goals in the IEP clearly express the four necessary components?

Question 16: Was the student's progress toward meeting each annual IEP goal measured and reported using the method and frequency described in the IEP? 34 C.F.R. 300.320(a)(3); K.S.A. 72-3429(c)(3)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored? Does the administration consistently monitor provider compliance on the completion of progress reports?	Do providers know timeline requirements of when periodic reports are due? Do providers know what elements are required to include in how progress will be measured for annual goals? Do providers know the requirement for the student's progress toward meeting each annual IEP goal being measured using the method described in the IEP and reported to the parents according to the frequency/intervals described in the IEP? Do providers receive training and coaching on using progress data for decision making (i.e., instructional changes that may need to be made; formative monitoring)?

Question 17: If the IEP team has determined that the student with a disability must take an alternate assessment instead of a particular state or districtwide assessment, was that determination made in alignment with the KSDE Dynamic Learning Maps Participation Guidelines for Kansas and does the IEP include BOTH of the following?: (A) A statement of why the student cannot participate in the general state or district assessment; and (B) A statement of why the particular alternate assessment selected is appropriate for the student. 34 C.F.R. 300.320(a)(6)(ii), 300.160(c); K.S.A. 72-3429(c)(6)(B)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do the providers know the criteria for selecting appropriate assessments (i.e., KSDE DLM participation guidelines)? Do the providers know the documentation requirements for including a statement of why the student cannot participate in the general state or district assessment and a statement of why the particular alternate assessment selected is appropriate for the student? Do the providers know that both state and district assessments must be addressed? Do the providers know how to select appropriate assessment accommodations? Do the providers know how to use the assessment schedule? Is a completed copy of the participation guidelines included with the IEP?

Question 18: Does the IEP include the projected date for the beginning of special education and related services, supplementary aids and services (including accommodations), program modifications and supports for school personnel? 34 C.F.R. 300.320(a)(7); K.S.A. 72-3429(c)(7)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know how and where to document the projected date for the beginning of each of the special education and related services, supplementary aids and services (including accommodations), program modifications and supports for school personnel so the level of the school's commitment of resources will be clear to parents and IEP members? Do providers know the purpose of the requirement?

Question 19: Does the IEP include anticipated frequency, location and duration of special education and related services, supplementary aids and services (including accommodations), program modifications and supports for school personnel? 34 C.F.R. 300.320(a)(7); K.S.A. 72-3429(c)(7)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know how and where to document frequency, location, and duration for each of the special education and related services, supplementary aids and services (including accommodations), program modifications and supports for school personnel so the level of the school's commitment of resources will be clear to parents and IEP members? Note: For data collection purposes, KSDE requires that the frequency of the services and modifications be reported as minutes/day/weeks. However, regulations do not require the documentation on the IEP to follow this format. Do providers know the purpose of the requirement?

Question 20: Did the IEP team consider parent concerns for enhancing the education of their student in developing, reviewing and revising the IEP? 34 C.F.R. 300.324(a)(1)(ii); K.S.A. 72-3404(r); 72-3429(d)(1)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know the documentation requirements for considering the concerns of the parent? Do providers know how to address concerns of the parents? Is the consideration of parent concerns clearly documented in the IEP?

Question 21: If the student's behavior impedes the student's learning or that of others, did the IEP Team consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior when developing, reviewing or revising the IEP? 34 C.F.R. 300.324(a)(2)(i), (b)(2); K.S.A. 72-3429(d)(4)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know the documentation requirements? • If the student's behavior impedes learning of self or others • If the student's behavior does not impede the learning of self or others Do providers know how and where to document the use of positive behavior interventions and supports, and other strategies? Is the pattern of removal appropriately tracked?

Question 22: When developing, reviewing or revising the IEP, in the case of a student who has limited English proficiency, did the IEP Team consider the language needs of the student as those needs relate to the student's IEP? 34 C.F.R. 300.324(a)(2)(ii), (b)(2); K.S.A. 72-3429(d)(5)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable?	Do providers know the requirement to document that the IEP team considered the student's language needs as those needs relate to the IEP when developing, reviewing, or revising the IEP?
How is knowledge of this regulatory requirement provided to all employees, including new employees?	Do providers know how and where to document that the IEP team considered the language needs of the student?
How is correct implementation of this regulatory requirement monitored?	Do providers know how and where to document that the student does not have limited English proficiency?
	Is there documentation that someone with expertise in the language needs of the student was a participant on the IEP team?

Question 23: Was the student's educational placement determined at least annually? 34 C.F.R. 300.116(b)(1); K.A.R. 91-40-21(e)(1)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable?	Do providers know the requirement to document dates of placement decisions in the student's IEP or prior written notice documents?
How is knowledge of this regulatory requirement provided to all employees, including new employees?	Do providers know how to provide evidence that the student's placement was discussed and determined within one year of the previous placement determination?
How is correct implementation of this regulatory requirement monitored?	Do providers know what educational placement options are available in the district and community?
	Do providers know what circumstances might necessitate a review of the IEP (i.e., annual review, parent or staff request, transfer student)?
	Is the annual review clearly documented on the IEP?

Question 24: If the student's LRE (least restrictive environment) placement is outside of the regular education environment for any part of the school day (including nonacademic and extracurricular services and activities), did the team first determine that the nature or severity of the disability is such that placement in the regular education environment with the use of supplementary aids and services could not be achieved satisfactorily? 34 C.F.R. 300.114(a)(2)(ii), 300.117; K.S.A. 72-3420(a); K.A.R. 91-40-21(i)

Policies/Procedures	Provider/Practice
Have roles and responsibilities of personnel involved in implementing this requirement been identified, including procedures to be followed in the event that identified personnel are unavailable? How is knowledge of this regulatory requirement provided to all employees, including new employees? How is correct implementation of this regulatory requirement monitored?	Do providers know the documentation requirements for placing a student in a more restrictive environment for any part of the school day? Do providers know how to document that the team first considered or implemented placement in the regular environment with the use of supplementary aids and services before considering more restrictive environments? Do providers know to document that the nature or severity of the disability is such that education in regular classes with supplementary aids and services cannot be achieved satisfactorily? Do providers know how to document that the student has been convicted as an adult under state law and is incarcerated in an adult prison and the student's IEP team has modified the student's IEP or placement because the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated? Do providers know what circumstances might necessitate placement outside of the regular education environment? Do providers know what educational placement options are available in the district and community?

For more information, contact:

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