

# February 09, 2024

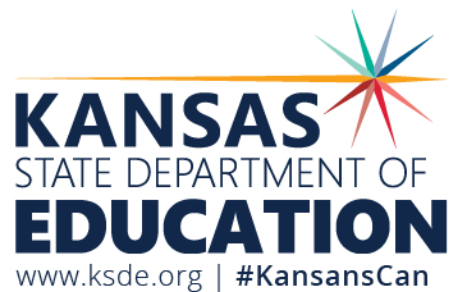
## KSDE SETS Special Education Administrators' Webinar Agenda

Agenda Item	Presenter
Welcome	<u><a href="#">Brad Schwartz</a></u>
Director Updates	<u><a href="#">Bert Moore</a></u>
<u><a href="#">100 Day Checklist</a></u>	<u><a href="#">Doug Tressler</a></u>
<u><a href="#">Early Childhood Special Education – Indicators 6, 7 and 12</a></u>	<u><a href="#">Amanda Petersen</a></u>
<u><a href="#">Categorical Aid/Waiver Deadline Reminders</a></u>	<u><a href="#">Evelyn Alden</a></u>
<u><a href="#">KS Deaf-Blind Fund (DBF) – Award Notices</a></u>	<u><a href="#">Lisa Karney</a></u>
<u><a href="#">Emergency Safety Interventions (ESI)</a></u>	<u><a href="#">Trish Backman</a></u>
<u><a href="#">Indicator 14- Post School Outcomes</a></u>	<u><a href="#">Andy Ewing</a></u>
<u><a href="#">Significant Disproportionality</a></u>	<u><a href="#">Steve Backman</a></u>
<u><a href="#">KASEA Updates</a></u>	<u><a href="#">Lena Kisner</a></u>





# SETS STATE DIRECTOR REPORT



February 9, 2024

*Kansas leads the world in the success of each student.*

# DIRECTOR UPDATES

- Introduced bills and hearings – KASB and/or USA updates
- Kansas Process Handbook – Chapter 13 – Suspension and Expulsion of Children with Disabilities (Indicator 4)
- Open Enrollment is coming for the 2024-2025 school year
- Virtual programs – Virtual Q&A
- Midwest Education Leadership Conference – with a focus on behavior intervention/behavior management/mental health (Breckenridge, CO - June 17-19, 2024 –flyer coming soon)
- Vacancy Report – list all “budgeted” unfilled positions
- Keep the Main Thing the Main Thing





Bert Moore  
SETS Director  
(785) 296-4949  
[bmoore@ksde.org](mailto:bmoore@ksde.org)

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# 100 DAY CHECKLIST UPDATE

- **Submit Medicaid claims by April 15.** Reminder You are allowed to include Medicaid services for special education students one week prior and one week after March 1st (February 23 through March 8)
  - Medicaid-related questions should be directed to KDHE: Hallie Doud – email: [Hallie.Doud@ks.gov](mailto:Hallie.Doud@ks.gov)
- **March 1-15...SPP/APR Draft Data Available and LOD Review and Comment Period Begins**
  - It is very important that each Director access the APR report and check their data
  - If you have a problem accessing the APR report please contact Doug Tressler
- **24-25 Budget prep** BASE for 24-25 is \$5,388 Current Estimate based on CPI 3 yr. avg.- finalized in April
- **Negotiations** per K.S.A. 72-5423(a) you must exchange letters by March 31
- **Special Ed Transportation Reimbursement** occurs in April. Review the [Form 308 User Guide](#) and [Form 308 Q&A](#)
  - Form 308 - School Finance contacts:
    - Rose Ireland [rireland@ksde.org](mailto:rireland@ksde.org) 785-296-4973
    - Sara Barnes [sbarnes@ksde.org](mailto:sbarnes@ksde.org) 785-296-4972



# Early Childhood Special Education

Amanda Petersen (apetersen@ksde.org)

# KSDE Staffing Update

- KSDE has hired Melissa Valenza to fill the role of Early Childhood Special Education Consultant (Section 619 Coordinator). She will be finishing the school year in her current district before beginning her new position.
- In the meantime, share early childhood special education questions or requests for support with Deborah Newby ([dnewby@ksde.org](mailto:dnewby@ksde.org)), Stacy Clarke ([sclarke@ksde.org](mailto:sclarke@ksde.org)), Amanda Petersen ([apetersen@ksde.org](mailto:apetersen@ksde.org)), Vera Stroup-Rentier ([VeraStroup-Rentier@westat.com](mailto:VeraStroup-Rentier@westat.com)) and Chelie Nelson ([Chelie.Nelson@nau.edu](mailto:Chelie.Nelson@nau.edu)).





# Indicator 12: Part C to Part B Transition



# Indicator 12: Part C to Part B Transition

- Smooth, seamless transitions from Part C to Part B ensure young children with disabilities receive services without disruption or delay.
- Indicator 12 is a compliance indicator that measures the 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).



# Part C to Part B Electronic Referral System (CBER)

Make sure your agency is regularly logging in to the CBER system to review and accept referrals.

- KSDE is required by the Office of Special Education Programs (OSEP) to maintain a statewide system that tracks children who are transitioning from Part C to Part B.
- The CBER system allows for confirmation of the accuracy of referral dates reported by both C and B programs.
- The transition timeline for a referral begins on the date it is sent by Part C unless the referral is actively rejected by Part B.
- The CBER system will help you plan and prepare for smooth transitions from Part C to Part B.



# Part C to Part B Electronic Referral System (CBER)

New Part C to Part B Electronic Referral System site:  
<https://ksits.kdhe.ks.gov>

- Contact Beccy Strohm ([bstrohm@ksde.org](mailto:bstrohm@ksde.org)) to add or remove users.
  - Do not share usernames between staff.
  - Notify Beccy when users need to be deleted.
- Email [kdhe.ksits@ks.gov](mailto:kdhe.ksits@ks.gov) and CC Beccy for requests for technical assistance.
- CBER Part B User's Guide: Visit [ksde.org](https://ksde.org), Special Education and Title Services, Special Education, KIAS, SPP and APR, Indicator 12



# Indicator 12: Part C to Part B Transition

Resources:

- [OSEP 2023 Early Childhood Transition Questions and Answers](#)
- [KSDE TASN Site: Indicator 12](#)
- [Indicator 12 FAQ's](#)



# OSEP 2023 Early Childhood Transition Questions and Answers

Question 9: What are the LEA responsibilities related to the transition conference with the EIS (Part C Early Intervention Services) program or provider and the family?

Answer 9 (in part): The LEA must participate in the transition planning conference arranged by the EIS program or provider, and failure to participate would be inconsistent with 34 C.F.R. § 300.124(c). The LEA's failure to attend the transition conference when it was invited by the EIS program or provider makes it difficult for the LEA to meet all of its Part B responsibilities including ensuring that an IEP is developed and implemented by the child's third birthday (if the child is eligible), as required by 34 C.F.R. § 300.124(b). If the wrong LEA representative was contacted, the LEAs must work with the EIS program or provider to ensure that the appropriate LEA is invited to, and participates in, the transition conference.

The importance of the appropriate LEA participating in the transition conference is to ensure that toddlers exiting Part C and eligible for Part B "experience a smooth and effective transition." 34 C.F.R. § 300.124(a). The LEA's participation is critical to its ability to provide the parent with information about Part B preschool services, obtaining parental consent to an evaluation, and conduct eligibility determinations under Part B.



## Part C is required to refer every child potentially eligible for IDEA Part B.

A referral to a local education agency (LEA)/state education agency (SEA) is required for every child **potentially eligible** for IDEA Part B that has been referred to or is receiving IDEA Part C services (at least 90 days and no more than 9 months prior to the third birthday). **Potentially eligible** is defined in the Kansas Infant-Toddler Services Procedural Manual, XIV2, as children receiving services [Part C] 90 days prior to their 3rd birthday or determined eligible for Part C services at least 45 days prior to their 3rd birthday.



# Evaluation Process: Eligibility Criteria

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## Part C

- Developmental Delay
- Established Risk
- Informed Clinical Opinion

## Part B: 2 Prong Test

- Prong 1: Determining Whether the Child is a Child with an Exceptionality
  - Eligibility Indicators
- Prong 2: Determining Whether the Child Needs Special Education [Specially Designed Instruction] and Related Services

# Planning ahead is essential to effective transitions

Wise to:

- Plan ahead to meet timelines well in advance to account for unforeseen circumstances (like poor weather).
- Plan ahead to account for children who will turn three during the summertime.
- Regularly review and update local C to B Memorandum of Understanding (MOU) to establish expectations for partnership.







# Indicator 6: Preschool Environments

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- In Kansas in 2022-2023, **48.01%** of preschool students with disabilities were enrolled in a preschool program attending a regular childhood program and receiving the majority of special education services in the regular early childhood program
  - 140 of 276 Kansas school districts met our Indicator 6A state target of at least 39.30%.
- In Kansas in 2022-2023, **30.11%** of preschool students with disabilities were enrolled in a preschool program attending a separate special education class, separate school or residential facility.
  - 177 of 278 Kansas school districts met our Indicator 6B state target of no more than 36.84%.



# Updated Policy Statement on Inclusion

- The U.S. Department of Health and Human Services and the U.S. Department of Education released an updated Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs in November 2023.
  - Reiterates expectations and increases emphasis on participation in, not just access to, high-quality inclusive early childhood programs.
  - Particularly useful sections: the Foundation for Inclusion in Early Childhood Programs and Recommendations for Local Action.





*All young children with disabilities should have access to high-quality inclusive early childhood programs that provide individualized and appropriate support so they can fully participate alongside their peers without disabilities, meet high expectations, and achieve their full potential.*

Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs

## **Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs: The Legal Foundation for Inclusion (pg. 8-9)**

Similarly, under Part B of the IDEA, special education and related services are to be made available to all children with disabilities ages three through 21, to the maximum extent appropriate, in the LRE, as determined by the individualized education program (IEP) team and placement team based on an individual child's unique strengths and needs as described in the child's IEP. The LRE provisions in the IDEA further require a continuum of placement options be available to best meet the diverse needs of children with disabilities and presumes that the first placement option considered for each child with a disability is the regular classroom the child would attend if they did not have a disability. Thus, before a child with a disability can be placed outside of the regular educational environment, the placement team must consider the full range of supplementary aids and services that could be provided to facilitate the child's placement in the regular early childhood setting. Each LEA must ensure that a free appropriate public education (FAPE) is provided in the LRE to every child with a disability, ages three through 21, in its jurisdiction regardless of whether the LEA operates public general early childhood programs.



## Policy Statement on Inclusion of Children with Disabilities in Early Childhood Programs: The Legal Foundation for Inclusion (pg. 8-9)

To provide FAPE in the LRE, the LEA may need to work with community-based early childhood settings (e.g., Head Start and Early Head Start programs, community-based child care programs, and public or private general early childhood or preschool programs) to provide special education and related services in those community-based settings. Additionally, preschool children are often identified as having a disability while participating in an early childhood program, such as Head Start or a public prekindergarten program. In determining placement options for a child with a disability who already participates in a regular public early childhood program, including publicly funded community-based programs operated by a public agency or private entity other than an LEA, Part B of the IDEA presumes that the first placement option considered is the current public early childhood setting the child is attending, even if the LEA operates an equally inclusive early childhood program. In addition, the placement team must consider any potential harmful effects on the child, such as the loss of learning and impact on a child's sense of belonging or emotional regulation if the child is moved or transported between early childhood programs and IDEA services, and on the quality of services that they need before removing the child from the current regular early childhood setting to a more restrictive setting. Additionally, IDEA regulations specify that a child with a disability is not to be removed from education in age-appropriate regular early childhood programs solely because of needed modifications in the general education curriculum.





# Indicator 7: Early Childhood Outcomes

# Indicator 7: Early Childhood Outcomes

- Indicator 7 measures the percent of preschool children aged 3 through 5 with Individualized Education Programs (IEPs) who demonstrate improvement in:
  - positive social-emotional skills (including social relationships);
  - acquisition and use of knowledge and skills (including early language/communication and early literacy); and
  - use of appropriate behaviors to meet their needs.
- New screencast videos walking through the Outcomes Web System (OWS) are now available.
- Save the date for in-person, full-day Indicator 7 training: April 5, 2024 in Hays. Registration is available at [ksdetasn.org/events](https://ksdetasn.org/events).





# Contact Information



Amanda Petersen  
Director  
Early Childhood  
[apetersen@ksde.org](mailto:apetersen@ksde.org)

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# Categorical Aid

Correct slides for February 9, 2024



# Personnel Categorical Aid (KGRS)

- Substitutes were approved, ESY policy approvals were done. If substitute(s) are not approved, I have questions or there is a problem (or you just added them recently)
  - [https://www.ksde.org/Portals/0/SES/funding/CatAid/ESY\\_TeacherQualifications\\_FY23-FY26.pdf](https://www.ksde.org/Portals/0/SES/funding/CatAid/ESY_TeacherQualifications_FY23-FY26.pdf)
- Remember to set aside time to go over reports.
  - Errors-the words tell where the issue is
  - Discrepancy-the person is licensed correctly, but not for the entire time
- Contact Evelyn with questions (email is best and don't be afraid to include names and/or ID numbers.)

# Substitute FTE/Licensure



- Guide to reading/using the KSDE license lookup  
<https://www.ksde.org/Portals/0/SES/funding/CatAid/License-KSDELicenseLookup.pdf>

- Substitute allowable days/FTE

For positions covered by KSDE teaching endorsements, the following limits apply for substitutes that do not possess the required endorsements:

Valid teaching license – 140 days = .75 FTE

Does not include limited or restricted licenses.

Substitute license – 90 days = .48 FTE

Esub with degree – 45 days = .24 FTE

Esub without degree – 25 days = .13 FTE

Max 75 days (.40) per semester per district.

Esub with waiver – unlimited = .75 FTE



# Discrepancies/Renewals

Claimed				Eligible		
Start Date	End Date	FTE	Hours	Start Date	End Date	FTE
8/17/2022	5/25/2023	1.00	1116.00	8/17/2022	4/21/2023	0.81

When someone is a discrepancy on the payment report (an "X" in that column), it means they are qualified, but not for the entire time claimed.

Comparing the Claimed start/end dates and the Eligible start/end dates will tell you if the discrepancy is at the start or end. End means the person needs to renew!

All expiring KSDE staff can apply for renewal now!



# Deadlines

The remaining payments pay on **ONLY ELIGIBLE FTE!**

- March 1<sup>st</sup> – Final day to enter/update before third payment
  - Note: close date is set to March 3<sup>rd</sup>, so you could update through Sunday night.
- April 1<sup>st</sup> – Final day to enter/update before fourth payment
- April 15<sup>th</sup> – Final day to enter/update Vacancy report for special education staff
- May 1<sup>st</sup> – Final day to enter/update staff and positions for the year.
- June 3<sup>rd</sup> – Final day to enter/update inservice (first business day after the 1<sup>st</sup>)

Deadlines are in Appendix A of the Reimbursement Guide, in the KIAS calendar, and separately here:

<https://www.ksde.org/Portals/0/SES/funding/CatAid/CatAid-Deadlines.pdf>



Authenticated Applications  
Problems logging in or  
creating/removing accounts:

[helpdesk@ksde.org](mailto:helpdesk@ksde.org)  
(785) 296-7935

Categorical Aid  
questions/issues:

[cataid@ksde.org](mailto:cataid@ksde.org)



Categorical Aid page

<https://www.ksde.org/Default.aspx?tabid=538>

Catastrophic/Non-Public Equivalency

Mason Vosburgh

[mvosburgh@ksde.org](mailto:mvosburgh@ksde.org)

(785) 296-4945

Transportation/Medicaid Replacement

Sara McCullah

[smccullah@ksde.org](mailto:smccullah@ksde.org)

(785) 296-4972

Special Teacher Reimbursement

Evelyn Alden [ealden@ksde.org](mailto:ealden@ksde.org)

(785) 296-3868

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# Using the KSDE License lookup

**Report date:** 1/31/2023

**Name:** [REDACTED]

[Print License](#)

The current license displays first. Please scroll down to see all licenses, including any new license type and/or a renewed or "future" license.

Licenses			
Type	Original	Current	Expire
<u>INITCH</u>	02/14/2019	02/14/2021	02/14/2023

Endorsements

Original	End Type	Subject Name	Level
02/14/2019	INITCH	ENGLISH LANGUAGE ARTS	6-12

Expired License History

Type	Original	Current	Expire
INITCH	02/14/2019	02/14/2019	02/14/2021

Education

University	Year	Degree
KANSAS STATE UNIVERSITY	2018	BS

The "report date" is today's date. The Credentials section displays by default. This section shows any licensure that has been entered and the expiration dates as well as expired licenses.

This is also where you can see if an esub has a degree listed

The Print License button means the license is complete and active. This means a teacher who expires on 2/14 hasn't applied for renewal yet.





# License lookup part 2

**Application Status**

Name	Educator ID	Disciplinary Action	Application Status	Status Date
[Redacted]	[Redacted]		APPLICATION	11/1/2022
[Redacted]		NONE	IN PROCESS	

**Application Status Definitions:**  
**Active License:** License is active; no application processing  
**Application in Process:** Application is processing with KSDE  
**Expired License:** License expired, and no application is processing with KSDE

**Fingerprint Card and Background Check Required with next application:**  
 YES  NO

If there is no print license button, the license may not be valid.

This is a different teacher. You can see that this applicant needs to submit fingerprints! This must be done before for a new app or after a lapse.

“Application in process” can mean an application for renewal, an application for a new endorsement, or a waiver application by the district. Teacher licensure is processing applications within a couple of weeks! If a status date is four weeks old, they are waiting on something!

<https://www.ksde.org/Portals/0/SES/funding/CatAid/License-KSDELicenseLookup.pdf>



# Renewals

Claimed				Eligible		
Start Date	End Date	FTE	Hours	Start Date	End Date	FTE
8/17/2022	5/25/2023	1.00	1116.00	8/17/2022	4/21/2023	0.81

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Catastrophic/Non-Public Equivalency

Mason Vosburgh

[mvosburgh@ksde.org](mailto:mvosburgh@ksde.org)  
(785) 296-4945

Transportation/Medicaid Replacement

Sara Barnes [sbarnes@ksde.org](mailto:sbarnes@ksde.org)

(785) 296-4972

Special Teacher Reimbursement

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# Kansas Deaf-Blind Fund

## 2023 - 2024



### Process

- Kansas is the only state with a special fund appropriated by the legislature to support students (birth - 21) who are deaf-blind in their educational programs. KSDE administers this fund and provides up to \$4,500 per student until the fund is depleted.
- Approval for funding is granted when costs exceed the amount districts are able to provide out of local and state categorical funds.
- Applicants must be certified with the Deaf Blind Project Census through KSSB

### Result

- 103 applications received
- 58 applications processed
- 17 pending invoices totaling \$43,809.00
- Reimbursement window closes March 22, 2024
- April 1, 2024, application window opens for next year



Lisa Karney  
Education Program Consultant  
Special Education & Title Services  
(785) 296-6765  
[lkarney@ksde.org](mailto:lkarney@ksde.org)

Sarah Reed  
Administration Specialist  
Special Education & Title Services  
(785) 2964602  
[sreed@ksde.org](mailto:sreed@ksde.org)

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# School Year 22-23 ESI and Discipline Data



Trish Backman

KSDE School Mental Health Coordinator

SETS team

*Kansas leads the world in the success of each student.*

# Most recent update- May 2023

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## It's the Law: K.A.R 91-42-1

- Kansas Administrative Regulation
  - Standards of use (K.A.R. 91-42-2)
  - District policy, training, dispute resolution (K.A.R. 91-42-3)
  - Parent notification, meetings and complaints (K.A.R. 91-42-4)
  - Administrative review (K.A.R. 91-42-5)
  - Exemptions (K.A.R. 91-42-6)
  - Reporting (K.A.R. 91-42-7)
- ESI Interventions Requirements Checklist
- ESI Standards of Use

# Seclusion and Restraint

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- Frequency
- Duration



Total number of incidents of restraint reported: 7291

Average Duration of Restraint: 1.0 minutes

Average age of student receiving restraint: 9.0

**Descriptive Statistics Based on School Data**

**(Number of schools included: 1477)**

<b>Median Number of Physical Restraint Incidents</b>	<b>Standard Deviation of Number of Physical Restraint Incidents</b>	<b>Median Duration of Physical Restraint Incident</b>	<b>Standard Deviation of Duration of Physical Restraint Incident</b>
1.00	0.414	1.00	3.554

## Restraint data



## Seclusion

Total number of incidents of seclusion reported: 8283

Average Duration of Seclusion: 5.0 minutes

Average age of student receiving seclusion: 8.0

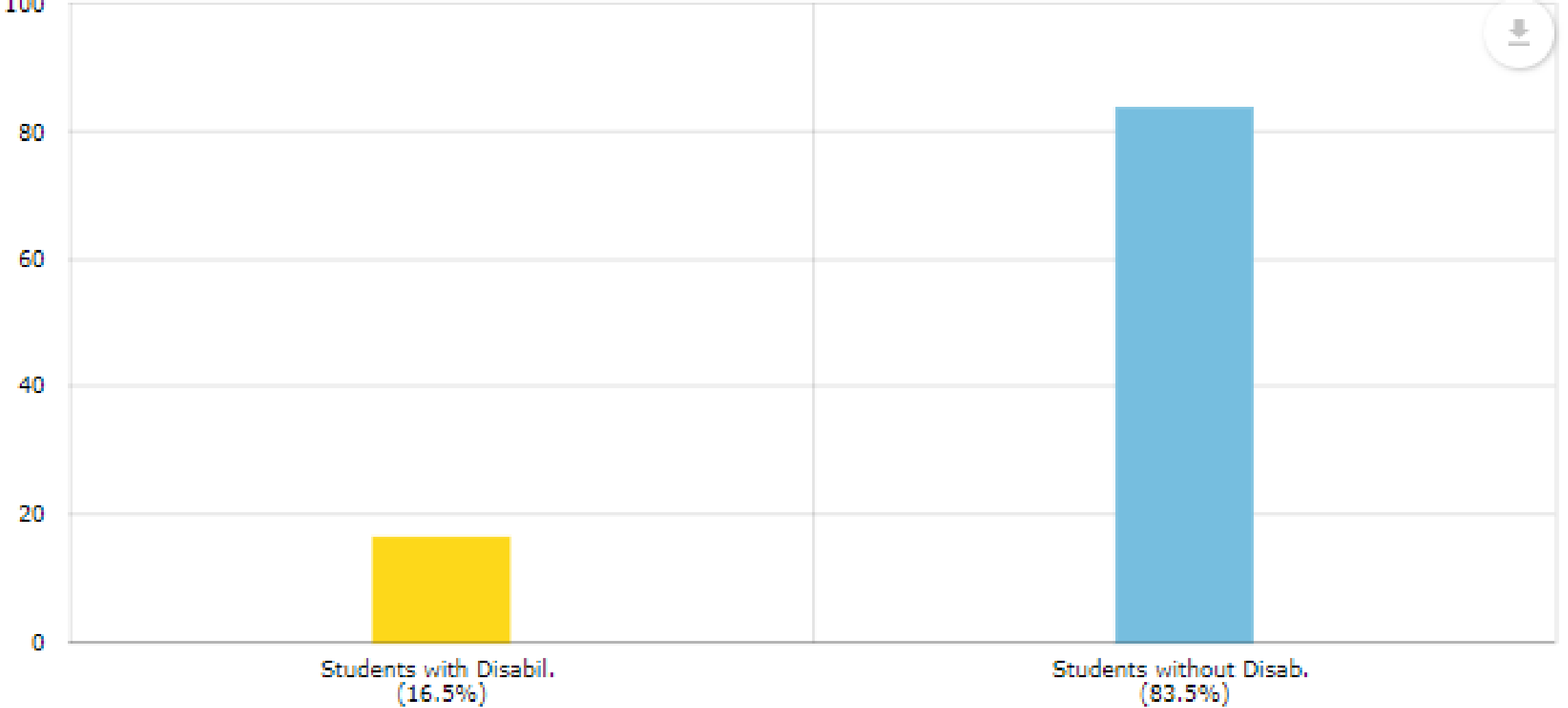
### Descriptive Statistics Based on School Data

(Number of schools included: 1477)

<b>Median Number of Seclusion Incidents</b>	<b>Standard Deviation of Number of Seclusion Incidents</b>	<b>Median Duration of Seclusion Incident</b>	<b>Standard Deviation of Duration of Seclusion Incident</b>
1.00	0.413	4.00	17.821

# Seclusion Data





# Identified students vs. Non-Identified students



# Seclusion and Restraint Reports- with an IEP or 504



1) The number of incidents in which emergency safety interventions were used on students who have an individualized education program (IEP).

<b>Number of Physical Restraint Incidents with Students with an IEP</b>	<b>Number of Seclusion Incidents with Students with an IEP</b>	<b>Number of Emergency Safety Intervention Incidents with Students with an IEP</b>
7143	7883	15026

(2) The number of incidents in which emergency safety interventions were used on students who have a Section 504 plan.

<b>Number of Physical Restraint Incidents with Students with a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students with a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students with a Section 504 Plan</b>
61	100	161

# Seclusion and Restraints- Non-Identified and total overall



(3) The number of incidents in which emergency safety interventions were used on students who do not have an IEP or a Section 504 plan.

<b>Number of Physical Restraint Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students without an IEP or a Section 504 Plan</b>
948	598	1546

(4) The total number of incidents in which emergency safety interventions were used on students.

<b>Number of Physical Restraint Incidents</b>	<b>Number of Seclusion Incidents</b>	<b>Number of Emergency Safety Intervention Incidents</b>
8135	8524	16659

# Students who had a Behavior Intervention Plan



5) The total number of students with behavior intervention plans (BIP) subjected to an emergency safety intervention.

<b>Number of Students with a BIP Physically Restrained</b>	<b>Number of Students with a BIP Placed in Seclusion</b>	<b>Number of Students with a BIP with which an Emergency Safety Intervention was Used</b>
993	860	1359

The number of students physically restrained= 1673

The number of students placed in seclusion= 1189

# Maximums

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- Maximum Number of Physical Restraint Incidents with a Student= 186
- Maximum Number of Seclusion Incidents with a Student= 225
- Maximum Number of Emergency Safety Intervention Incidents with a Student= 225

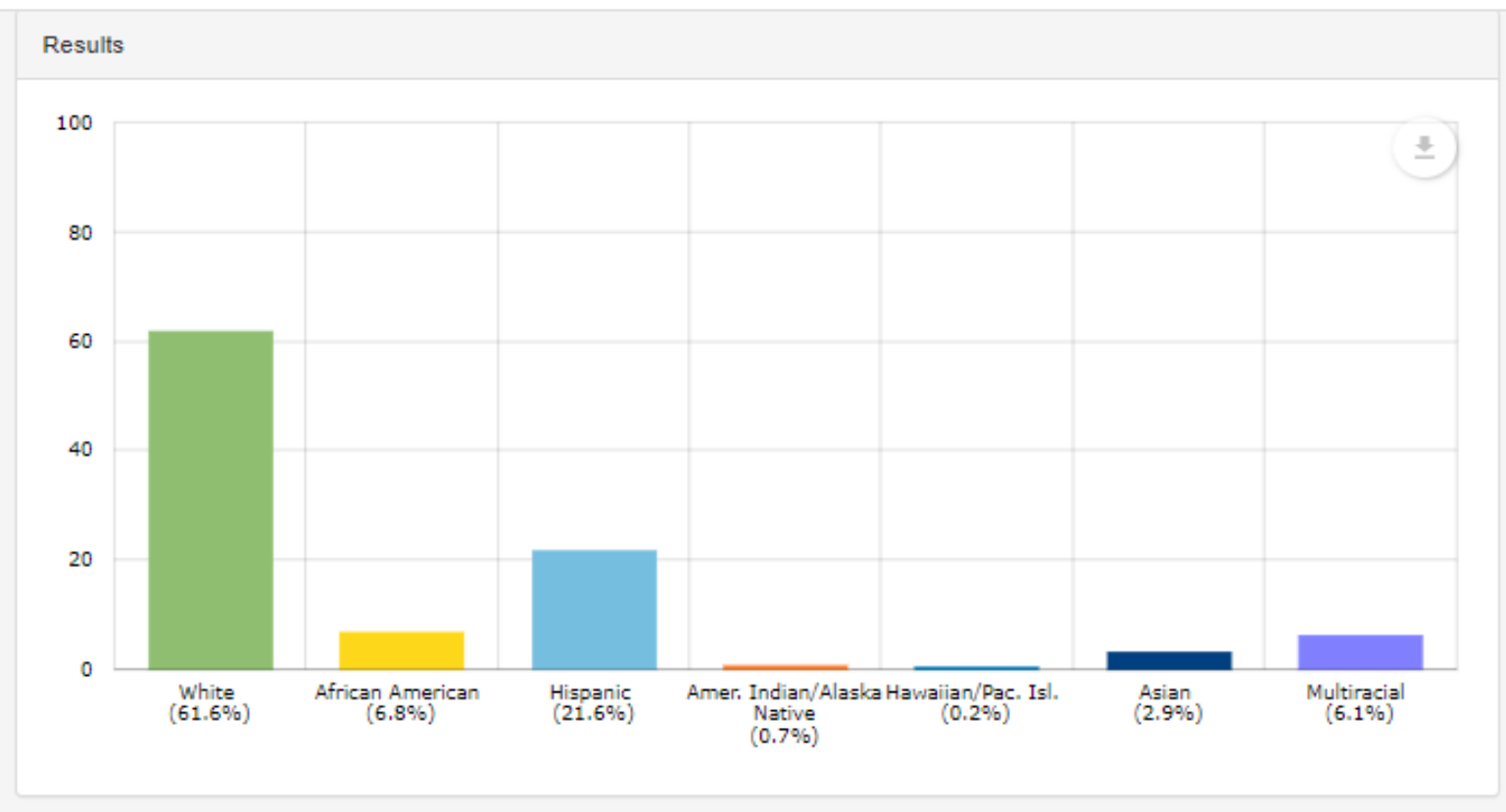
# Kansas Population break down



## Demographics

For this report state-level enrollment uses public school data only

To protect student data privacy totals, the Race/Ethnicity report may be suppressed. Subgroups containing less than the minimum will be combined until the total is 10 or more. Subgroups with a total of zero will still be displayed independently.



- **61.6% White**
- **6.8% Black**
- **21.6% Hispanic**
- **.7% Native**
- **.2% Pacific Island**
- **2.9% Asian**
- **6.1% multi-Race**



# By Ethnicity



The number of incidents in which emergency safety interventions were used on students who have an individualized education program (IEP) aggregated by ethnicity.

<b>Ethnicity</b>	<b>Number of Physical Restraint Incidents with Students with an IEP</b>	<b>Number of Seclusion Incidents with Students with an IEP</b>	<b>Number of Emergency Safety Intervention Incidents with Students with an IEP</b>
Hispanic/Latino	728	450	1178
Multi-Ethnic	733	957	1690
American Indian or Alaska Native	23	14	37
Asian	43	39	82
Black or African American	1186	1062	2248
Native Hawaiian or Other Pacific Islander	0	0	0
White	4293	5126	9419

# By Ethnicity



The number of incidents in which emergency safety interventions were used on students who have a Section 504 plan aggregated by ethnicity.

<b>Ethnicity</b>	<b>Number of Physical Restraint Incidents with Students with a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students with a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students with a Section 504 Plan</b>
Hispanic/Latino	17	4	21
Multi-Ethnic	6	8	14
American Indian or Alaska Native	0	0	0
Asian	0	0	0
Black or African American	4	9	13
Native Hawaiian or Other Pacific Islander	0	1	1
White	34	78	112

# By Ethnicity



The number of incidents in which emergency safety interventions were used on students who do not have an IEP or a Section 504 plan aggregated by ethnicity.

<b>Ethnicity</b>	<b>Number of Physical Restraint Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students without an IEP or a Section 504 Plan</b>
Hispanic/Latino	173	67	240
Multi-Ethnic	92	92	184
American Indian or Alaska Native	3	2	5
Asian	3	0	3
Black or African American	231	74	305
Native Hawaiian or Other Pacific Islander	0	1	1
White	432	352	784

# By Ethnicity



The total number of incidents in which emergency safety interventions were used on students aggregated by ethnicity.

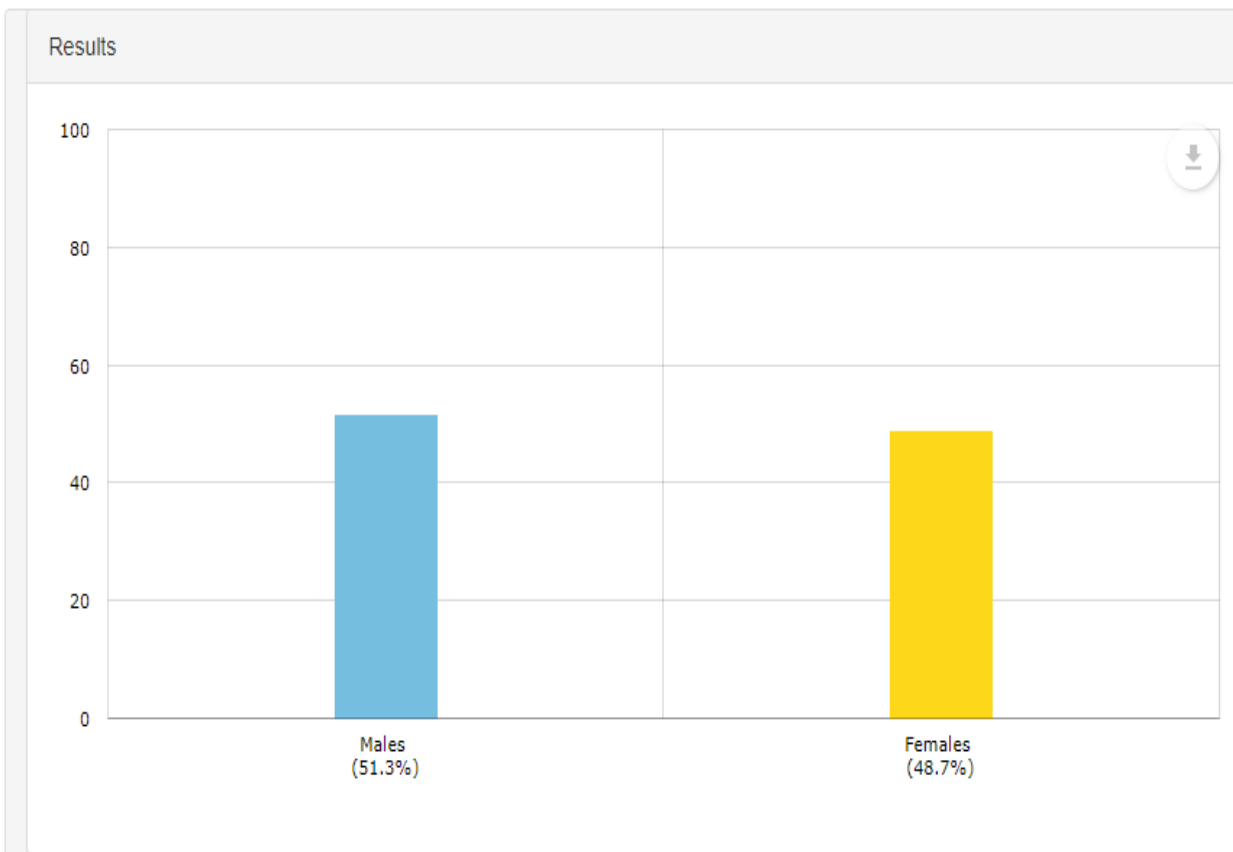
<b>Ethnicity</b>	<b>Number of Physical Restraint Incidents</b>	<b>Number of Seclusion Incidents</b>	<b>Number of Emergency Safety Intervention Incidents</b>
Hispanic/Latino	918	517	1435
Multi-Ethnic	829	1054	1883
American Indian or Alaska Native	26	16	42
Asian	46	39	85
Black or African American	1419	1137	2556
Native Hawaiian or Other Pacific Islander	0	2	2
White	4746	5514	10260

# Gender data



## Demographics

For this report state-level enrollment uses public school data only



- **51.5%**  
**male**
- **48.7%**  
**female**

# By Gender with an IEP



The number of incidents in which emergency safety interventions were used on students who have an individualized education program (IEP) aggregated by gender.

<b>Gender</b>	<b>Number of Physical Restraint Incidents with Students with an IEP</b>	<b>Number of Seclusion Incidents with Students with an IEP</b>	<b>Number of Emergency Safety Intervention Incidents with Students with an IEP</b>
Male	5846	6783	12629
Female	1297	1100	2397

# By Gender with 504



The number of incidents in which emergency safety interventions were used on students who have a Section 504 plan aggregated by gender.

<b>Gender</b>	<b>Number of Physical Restraint Incidents with Students with a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students with a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students with a Section 504 Plan</b>
Male	47	94	141
Female	14	6	20

# Gender with out IEP or 504

The number of incidents in which emergency safety interventions were used on students who do not have an IEP or a Section 504 plan aggregated by gender.

<b>Gender</b>	<b>Number of Physical Restraint Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students without an IEP or a Section 504 Plan</b>
Male	636	457	1093
Female	312	141	453





# Totals Overall by Gender

The total number of incidents in which emergency safety interventions were used on students aggregated by gender.

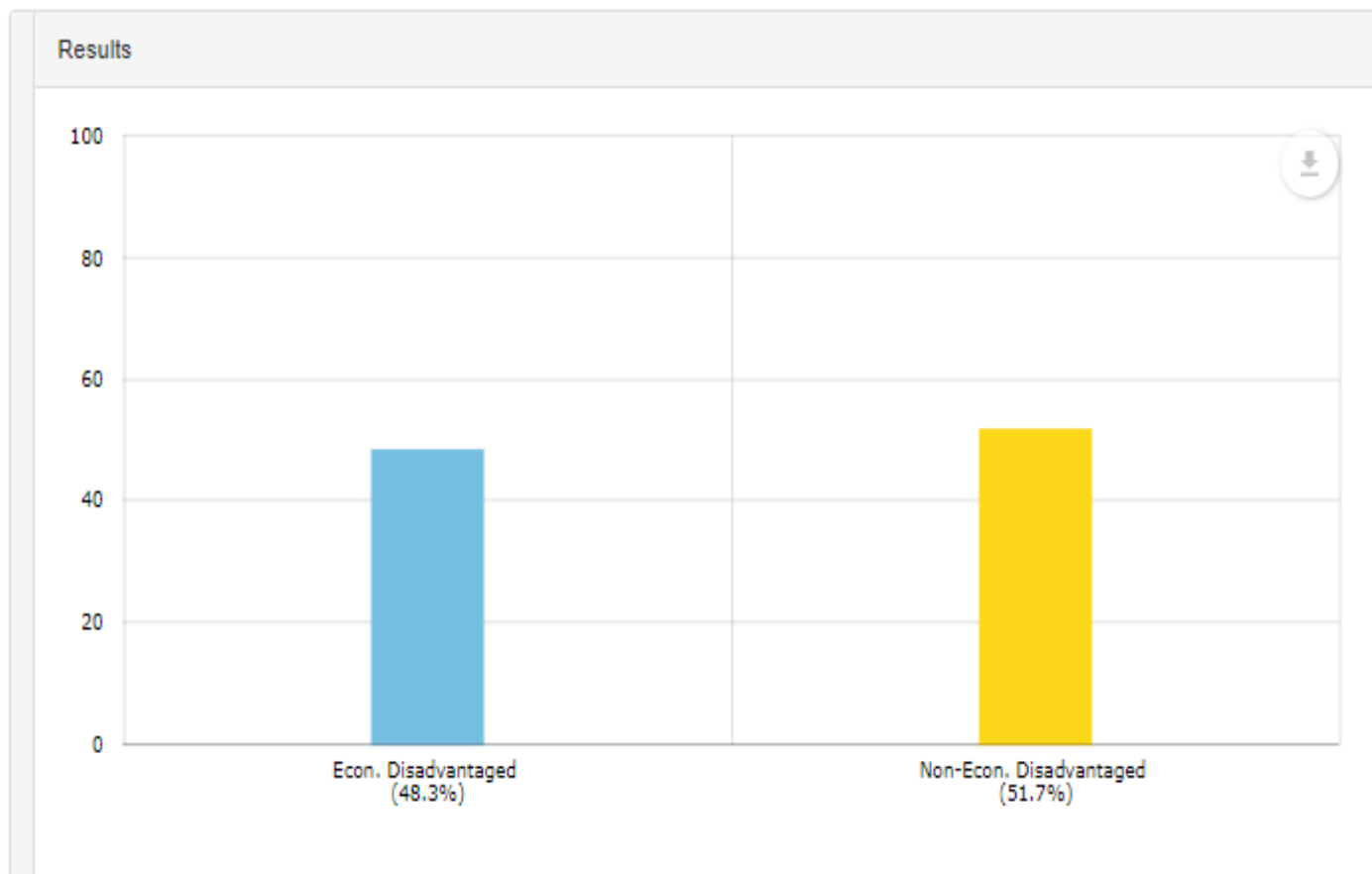
<b>Gender</b>	<b>Number of Physical Restraint Incidents</b>	<b>Number of Seclusion Incidents</b>	<b>Number of Emergency Safety Intervention Incidents</b>
Male	6512	7281	13793
Female	1623	1243	2866



# Free and reduced lunch rates

## Demographics

For this report state-level enrollment uses public school data only



- **Econ Disadvantaged 48.3%**
- **Non-disadvantaged 51.7%**



# Based on Free/Reduced lunch and IEP

The number of incidents in which emergency safety interventions were used on students who have an individualized education program (IEP) aggregated by free/reduced lunch.

<b>Free/Reduced Lunch</b>	<b>Number of Physical Restraint Incidents with Students with an IEP</b>	<b>Number of Seclusion Incidents with Students with an IEP</b>	<b>Number of Emergency Safety Intervention Incidents with Students with an IEP</b>
Yes	5792	5684	11476
No	1214	1964	3178



# Free/Reduced lunch and 504

The number of incidents in which emergency safety interventions were used on students who have a Section 504 plan aggregated by free/reduced lunch.

<b>Free/Reduced Lunch</b>	<b>Number of Physical Restraint Incidents with Students with a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students with a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students with a Section 504 Plan</b>
Yes	55	89	144
No	6	11	17



# Free/Reduced lunch without IEP or 504

The number of incidents in which emergency safety interventions were used on students who do not have an IEP or a Section 504 plan aggregated by free/reduced lunch.

<b>Free/Reduced Lunch</b>	<b>Number of Physical Restraint Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Seclusion Incidents with Students without an IEP or a Section 504 Plan</b>	<b>Number of Emergency Safety Intervention Incidents with Students without an IEP or a Section 504 Plan</b>
Yes	719	420	1139
No	215	168	383



# Totals for Free/Reduced

The total number of incidents in which emergency safety interventions were used on students aggregated by free/reduced lunch.

<b>Free/Reduced Lunch</b>	<b>Number of Physical Restraint Incidents</b>	<b>Number of Seclusion Incidents</b>	<b>Number of Emergency Safety Intervention Incidents</b>
Yes	6551	6139	12690
No	1433	2140	3573



# By Age

Age	Number of Physical Restraint Incidents with Students with an IEP	Number of Seclusion Incidents with Students with an IEP	Number of Emergency Safety Intervention Incidents with Students with an IEP
2	0	0	0
3	8	0	8
4	38	39	77
5	★ 397	★ 652	★ 1049
6	★ 799	★ 1341	★ 2140
7	★ 800	★ 1092	★ 1892
8	★ 677	★ 1104	★ 1781
9	★ 886	★ 1226	★ 2112
10	★ 930	★ 738	★ 1668
11	★ 623	★ 656	★ 1279
12	★ 444	★ 350	★ 794
13	★ 482	★ 281	★ 763
14	★ 311	114	★ 425
15	★ 126	37	★ 163
16	★ 167	88	★ 255
17	★ 250	109	★ 359
18	117	33	150
19	60	14	74
20	26	7	33
21	2	2	4





**Discipline data formats will look a bit different this June. Be ready for more information coming by May 2024.**



# Discipline Data

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# Total Discipline incidents

<u>Incident Type</u>	<u>At School</u>	<u>On School Property</u>	<u>School Supervised Activities</u>	<u>Arrests and Referrals to Law Enforcement or Juvenile Intake and Assessment Services Made in Connection to the Criminal Act</u>
Felonies	159	17	17	53
Misdemeanors	2054	212	30	503
Possession, use or disposal of explosives, <u>firearms</u> or other weapons	72	13	4	23



# Discipline

BY ETHNICITY

<u>Ethnicity</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Weapons</u>	<u>Arrest and Referral to Law Enforcement</u>
Hispanic/Latino	47	572	17	105
Multi-Ethnic	18	225	6	63
American Indian or Alaska Native	2	42	3	19
Asian	1	14	0	5
Black or African American	41	410	12	52
Native Hawaiian or Other Pacific Islander	1	3	0	2
White	82	1011	51	322



# Discipline

BY GENDER

<u>Gender</u>	<u>Felonies</u>	<u>Misdemeanors</u>	<u>Weapons</u>	<u>Arrest and Referral to Law Enforcement</u>
Male	150	1479	82	385
Female	42	798	7	183



# Summary for ethnicities compared to previous year's data

- all areas went up for Hispanics except arrests and referral to LEO's
- all areas went up for multi-ethnic
- all areas went up for American Indians or Alaska natives
- numbers for Asians went up in felonies and misdemeanors but went down for weapons. The arrests and referrals to LEO's stayed the same
- numbers for Blacks went up in felonies and misdemeanors but went down for weapons and arrests and referrals to LEO's
- numbers for Native Hawaiian or Pacific Islanders went up in felonies, misdemeanors, and arrests and referrals to LEO's. There were zero reports for weapons which stayed the same from last year.
- numbers for Whites went up in felonies, misdemeanors, and arrests and referrals to LEO's but went down for weapons



# Summary in comparison to last year's data

- **Felonies went up** in all subcategories **except** arrests and referrals to LEO's or intake
- **Misdemeanors went up** in all subcategories
- **Weapons and explosives went down** in all areas
- For gender, all subcategories went up for males except arrests and referrals to LEO's. For females, felonies and misdemeanors went up and weapons and referrals to LEO's went down.





## Additional Resources

<https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/KIAS-Kansas-Integrated-Accountability-System/Emergency-Safety-Interventions-ESI>

[https://ksdetasn.org/universal\\_search?search\\_term=esi](https://ksdetasn.org/universal_search?search_term=esi)



Trish Backman  
School Mental Health Coordinator  
SETS Team  
(785) 296-6937  
[tbackman@ksde.org](mailto:tbackman@ksde.org)

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





# 2024 Indicator 14 Data Collection Timeline

## May 2024

Verification of contact info for students on this year's call list: Email with instructions goes out to all directors on Apr. 28 from DDE. Verification of contact info due May 31<sup>st</sup>. Districts must Opt-in by May 31<sup>st</sup> 2024.

## June 2024

Text & Email blasts to all 2023 exiters

Email from DDE to districts the last week of June with links to the following materials: Each Districts Call list, Phone Interview Protocol, Instructions/FAQ Document, Link to training video sent, Further training during 2024 Leadership Conference in Wichita

## July 2024

Call window is open

August 2024 Follow up if needed



# Questions?

Andy's Contact Info  
[aewing@ksde.org](mailto:aewing@ksde.org)  
785-296-3860



# SIGNIFICANT DISPROPORTIONALITY



# What is “significant disproportionality”?

- According to 34 C.F.R. § 300.646 of the regulations implementing the Individuals with Disabilities Education Act (IDEA), States must annually collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and each local education agency (LEA) of the State with respect to the identification of children as children with disabilities, including the identification of children as children with a particular disability; the placement of children with disabilities in particular educational settings; and the incidence, duration, and type of disciplinary actions, including suspensions and expulsions.



# What is the Kansas methodology for determining whether an LEA has significant disproportionality?

- The Kansas State Department of Education (KSDE) uses a risk ratio calculation to determine whether an LEA has significant disproportionality, consistent with 34 C.F.R. § 300.647. This identification of a district with significant disproportionality is based on an analysis of numerical information only and may not include consideration of the State's or LEA's policies, practices, or procedures. An LEA is determined to have significant disproportionality if its final risk ratio in one or more categories evaluated exceeds the risk ratio threshold for that category for 3 consecutive years



# What happens if an LEA is identified as having Significant Disproportionality?

- If an LEA has been identified as having significant disproportionality, the LEA is restricted from reducing its Maintenance of Effort (MOE) level by using the 50% reduction rule, and it must:
  - Reserve 15% of its IDEA Part B Section 611 and 619 allocations for comprehensive coordinated early intervening services (CCEIS) to address factors contributing to the significant disproportionality;
  - Review and, if appropriate, revise its policies, practices, and procedures used in identification or placement in particular education settings, and/or disciplinary removals, to ensure that the policies, practices, and procedures comply with the requirements of the IDEA; and
  - Publicly report on the revision of those policies, practices, and procedures consistent with the requirements of the Family Educational Rights and Privacy Act, its implementing regulations in 34 C.F.R. part 99, and Section 618(b)(1) of IDEA.



## What risk ratio thresholds has Kansas established for significant disproportionality evaluations?

KSDE established the following risk ratio thresholds for significant disproportionality calculations:

### Identification Risk Ratio Thresholds

All Disabilities	$\geq 3.0$
Autism	$\geq 3.0$
Emotional Disturbance	$\geq 3.0$
Intellectual Disability	$\geq 3.0$
Other Health Impairment	$\geq 3.0$
Specific Learning Disability	$\geq 3.0$
Speech/Language Impairment	$\geq 4.5$

### Discipline Risk Ratio Thresholds

In-School Suspension $\leq 10$	$\geq 3.0$
In-School Suspension $> 10$	$\geq 3.0$
Out-of-School Suspension $\leq 10$	$\geq 3.0$
Out-of-School Suspension $> 10$	$\geq 3.0$
All Suspensions	$\geq 3.0$

### Placement Risk Ratio Thresholds

Regular Environment $< 40\%$	$\geq 3.0$
Separate Settings	$\geq 3.0$



# What does a risk ratio mean in practical terms and can you provide a sample calculation of a risk ratio?

A risk ratio essentially tells us how the risk of one group compares to the risk of another group. For example, an LEA risk ratio of 3.5 for black or African-American children to be identified for special education and related services means that, within that LEA, black or African-American children were three and half times as likely as all other children to be identified for special education and related services.





## CALCULATING SIGNIFICANT DISPROPORTIONALITY

# in target ethnic group in SPED = Target Risk Group  
# in target ethnic group enrolled

# in other ethnic groups in SPED = Other Risk Group  
# other ethnic groups

Target Risk Group = Risk Ratio  
Other Risk Group



EXAMPLE: School of America has 7 blacks students enrolled in SPED while 20 black students are in regular education. All other ethnic groups combined in SPED is 5 while total student enrollment of the other ethnic groups is 50. Therefore, the Risk Ratio is calculated as follows:

$$\text{Target Risk Group Calculation} \quad \frac{7.0}{20} = .35 \text{ Target Risk Group}$$

$$\text{Other Group Risk Calculation} \quad \frac{5.0}{50} = 0.1 \text{ Other Risk Group}$$

$$\text{Risk Ratio Calculation} \quad \frac{.35}{0.1} = 3.5 \text{ Risk Ratio}$$

CONCLUSION: A risk ratio of 3.5 exceeds the minimum 3.0 risk ratio requirement. Therefore, blacks are being disproportionately placed in SPED in relation to all other ethnic groups.



# What data sources does KSDE use in calculating significant disproportionality?

- KSDE uses the following data sources when calculating significant disproportionality:
- September 20 Count
  - Reported in the ENRL record in the KIDS application. Can be viewed in several reports on <https://datacentral.ksde.org/> , such as the Kansas K-12 Reports.
- Final December 1st Report
  - Reported and can be viewed in the SPEDPro application
- Final End of Year Report
  - Reported and can be viewed in the SPEDPro application
- Final OSEP Table 5 Discipline Incident Report
  - Reported in the KIAS application and can be viewed in the SPEDPro application
- Final OSEP Table 5 Discipline Summary Report
  - Reported in the KIAS application and can be viewed in the SPEDPro application



# Where can I find my LEA's Significant Disproportionality reports?

- LEA Significant Disproportionality data reports are available on the [Kansas APR Reports](#) under the Sig Dis tab. KSDE strongly encourages all LEAs to review this data whether the LEA has been identified for significant disproportionality or not. Also, keep in mind that the significant disproportionality calculations are based on LEA level data and three consecutive years of risk ratios under the current KSDE methodology. The *KS APR Report Sig Dis User Guide* is located under the Sig Dis tab on the Kansas APR Reports website and was created to assist LEAs in accessing this data and utilizing specific report features and is available under the Sig Dis reports tab.
- For cooperatives and interlocals, KSDE provides district-level analysis to assist with data drilldown. Significant disproportionality determinations are made at the LEA level for cooperatives and interlocals, meaning all data from all member districts is added together to conduct the analysis.



# Kansas APR Reports

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Please Login

Username:

Password:

[Forgot Password](#)

System Copyright ©2021 Data Driven Enterprises

The Kansas APR website will operate correctly under Windows Internet Explorer 7, 8, 9, 10 and 11, Google Chrome 85 and Macintosh Firefox 3.6.  
Other browsers are not supported.

# Kansas APR Reports

[View Targets](#) [View APR Reports Guide](#)

[Statewide](#) | [District](#) | [Cluster](#) | [Trends](#) | [Sig Dis](#) | [KSDE](#)

Questions? Need Technical Assistance? Please contact Tim Berens at [tberens@ksdelearning.org](mailto:tberens@ksdelearning.org)

LEA:  Data From:  LEA  Create PDF

Start Year:  2018-19 Span:  Three Years Category:  All Export Sig Dis

Color Filter:  All -- all data Subcategory:  All View Sig Dis

Significant Disproportionality Data (By Ethnicity)								
LEA <input type="text"/>								
Subcategory	Year	Asian	Black	Hispanic	Multi-Racial	Native American	Pacific Islander	White
Out-of-School Suspensions and Expulsions of 10 days or fewer	2018-19							0.14
Out-of-School Suspensions and Expulsions of 10 days or fewer	2019-20							0.45
Out-of-School Suspensions and Expulsions of 10 days or fewer	2020-21							0.69
Out-of-School Suspensions and Expulsions of more than 10 days	2018-19							
Out-of-School Suspensions and Expulsions of more than 10 days	2019-20							
Out-of-School Suspensions and Expulsions of more than 10 days	2020-21							
In-School Suspensions of 10 days or fewer	2018-19							0.14
In-School Suspensions of 10 days or fewer	2019-20							0.20
In-School Suspensions of 10 days or fewer	2020-21							0.37
In-School Suspensions of more than 10 days	2018-19							
In-School Suspensions of more than 10 days	2019-20							
In-School Suspensions of more than 10 days	2020-21							
All Disciplinary Removals	2018-19				5.76			0.47
All Disciplinary Removals	2019-20			1.15	3.00			0.59
All Disciplinary Removals	2020-21			1.13				1.03
Identification by Race	2018-19		1.36	0.68	1.19			1.34
Identification by Race	2019-20		1.16	0.93	1.21			1.04
Identification by Race	2020-21			1.01	1.08	1.26		0.97
Identification by Race by Disability: Autism	2018-19							1.15
Identification by Race by Disability: Autism	2019-20							0.99
Identification by Race by Disability: Autism	2020-21							0.95
Identification by Race by Disability: Emotional Disturbance	2018-19							0.84
Identification by Race by Disability: Emotional Disturbance	2019-20							0.84
Identification by Race by Disability: Emotional Disturbance	2020-21							0.76
Identification by Race by Disability: Intellectual Disabilities	2018-19							1.08
Identification by Race by Disability: Intellectual Disabilities	2019-20							0.96
Identification by Race by Disability: Intellectual Disabilities	2020-21							0.99
Identification by Race by Disability: Other Health Impairment	2018-19							1.73
Identification by Race by Disability: Other Health Impairment	2019-20							1.01
Identification by Race by Disability: Other Health Impairment	2020-21			0.97				1.00
Identification by Race by Disability: Specific Learning Disability	2018-19			1.06	1.23			0.96
Identification by Race by Disability: Specific Learning Disability	2019-20			1.29	1.51			0.81
Identification by Race by Disability: Specific Learning Disability	2020-21			1.27	1.38	2.04		0.77
Identification by Race by Disability: Speech or Language Impairment	2018-19			0.40				1.98
Identification by Race by Disability: Speech or Language Impairment	2019-20			0.67				1.50
Identification by Race by Disability: Speech or Language Impairment	2020-21			0.87				1.19
Separate Class (SC) Educational Environment	2018-19							0.46
Separate Class (SC) Educational Environment	2019-20							0.34
Separate Class (SC) Educational Environment	2020-21							0.38
Separate Facility (SF) Educational Environment	2018-19							1.67
Separate Facility (SF) Educational Environment	2019-20							1.13
Separate Facility (SF) Educational Environment	2020-21							1.20



# Significant Disproportionality

- IDEA determinations of significant disproportionality help schools identify symptoms that manifest in special education, but the root cause is almost always found in the district's core curriculum and culture.



# Significant Disproportionality

- <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/CIAS-Kansas-Integrated-Accountability-System>





# Takeaway

- School boards should review Significant Disproportionality data every year.



# Please contact us with any questions.



Trish Backman, (Discipline) 785-296-6937  
tbackman@ksde.org

Christy Weiler (Funding) 785-296-1712  
cweiler@ksde.org

Steve Backman, (Identification) 785-296-2267  
sbackman@ksde.org

Kelly Steele (Placement) 785-296-2050  
ksteele@ksde.org

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



### Select E-mail Communications

1/9 Task Force Update & Request - Patty Carter

1/17 & 1/19 KSDE Dispute Resolution Slides & Sample Resolution - Lena Kisner



## Resources

[States, Districts Clarify Special Education Rules for Informal Removals](#)

[After Tackling 'R-Word,' Disability Group Seeks to Erase Stigma Associated with 'Special'](#)

[Reading on Screens Worsens Comprehension for Younger Students. What Can Teachers Do?](#)

[Zirkel Legal Update January 2024](#)

[OSEP Update](#)

## Calendar

### **CASE Winter Workshop**

February 8 & 9, 2024

### **Developing Compliant IEPs: Avoiding Process and Content Mistakes**

February 12, 2024

### **KASEA Membership Meeting**

February 19, 2024; 5:30 PM, Drury Hotel

### **Winter Conference**

Tuesday, February 20 & 21, 2024

The Special Education and Related Services Funding Task Force met on January 5th. We had a strong showing of KASEA members in attendance at the meeting. KASEA was also well-represented on the task force with three current members. Please thank Kathy Kersenbrock-Ostmeyer, Amy Haussler, and Monica Ross for serving on the Task Force. If you are interested in reviewing the testimony heard by the task force, you can find it [here](#). We will wait to see if the task force is able to meet again. The Task Force did recommend following the State Board's guidance related to fully funding special education over 4 years. Please reach out to your legislators to see if they support the Task Force's recommendation. Please ask this question: ***Do you support the recommendation made by the Special Education and Related Services Funding Task Force to increase special education funding over the next four years to meet the statutory mandate of 92% of state level special education excess costs?*** Enter your findings [here](#).

The Legislative Committee has finalized [The Cost of Special Education in Kansas](#) flyer. Please use this flyer and not any previous versions that you might have.

Did you know that CEC members have access to free webinars? CEC is offering a free webinar to members on February 13th entitled [Instrument Selection for the Evaluation of Children with Specific Learning Disabilities. Does it Really Matter?](#) And, on February 21st you can extend your professional learning after the KASEA conference concludes by attending the webinar [A Four-Step Method for Developing Measurable, Meaningful, and Legally Sound IEP Goals](#). If you are a member of CASE, you are also a member of CEC. Be sure to utilize your member benefits!

# Thank you for Joining us today!!!

- Next webinar is scheduled  
March 8<sup>th</sup> , 2024

**IT IS VITAL THAT WHEN  
EDUCATING OUR CHILDRENS'  
BRAINS THAT WE DO NOT  
NEGLECT TO EDUCATE THEIR**

*hearts.* Dalai Lama

