

## **Significant Disproportionality Self-Assessment Tool**

## **A review of policies, practices, and procedures in the area of *identification of children with disabilities***

**A local educational agency (LEA) identified by the state as having significant disproportionality is required to 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** **Individuals with Disabilities Education Act (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 the IDEA.** 20 U.S.C. § 1418(d)(1); 34 C.F.R. § 300.646(a).

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| **LEA # and Name:** |  |
| **Contact Name:** |  |
| **Contact Email:** |  |
| **Contact Phone:** |  |

This tool is designed to facilitate and document an LEA’s focused review of its policies, practices, and procedures that most closely relate to identification of children with disabilities. LEA policies are generally considered to be those policies written and adopted by local board authority, procedures are generally written and formally approved or adopted by administration or board in some manner, and practices are the actual implementation of those policies and procedures through the behavior and actions of staff and administration within the LEA. If a regulation specifically requires a board-adopted policy, it will be so stated in the regulatory requirement column; otherwise the LEA should have policies and/or procedures related to a particular requirement to explain how that regulatory requirement will be implemented in the LEA.

KSDE expect LEAs conducting this review to convene a local stakeholder team (such as relevant teachers, administrators, parents, and other stakeholders relevant to the area identified as significantly disproportionate) to complete this review. In addition to the review and revision, if appropriate, of local policies, practices, and procedures, the LEA must address a policy, practice, or procedure it identifies as contributing to the significant disproportionality in its comprehensive coordinated early intervening services (CCEIS) plan.

Technical assistance in conducting this review is available; contact your KSDE Significant Disproportionality Lead and Technical Assistance Team members, or request TA at [www.ksdetasn.org](http://www.ksdetasn.org). LEAs are encouraged to contact KSDE at any time with questions regarding the applicable timelines and actions required due to the LEA’s significant disproportionality.

| **Related Requirements Section 1:** Child Find, Screening, and General Education Interventions | | | | | | | | | **KSDE USE ONLY** | |
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| **Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement** | **Step One** | | |  | **Step Two** | | |  | **Verification** | |
| Is there evidence that a compliant **LEA Policy and/or Procedure** is in place?  **YES/NO** | **If YES**  Provide specific reference (document, section, and page) to the policy and/or procedure. | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Is there evidence that the **LEA** **Practices** are consistent with the regulatory requirement?  **YES/NO** | **If YES**  Provide specific reference to or statement of the evidence (i.e., file, interview, observation) | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Timely submitted by deadline and responses verified by KSDE?  **YES/NO** | Reviewer Comments |
| Has the board adopted policies and procedures to identify, locate, and evaluate all children with exceptionalities residing in its jurisdiction, including children with exceptionalities who meet any of the following criteria: (1) Attend private schools; (2) are highly mobile, including migrant and homeless children; or (3) are suspected of being children with disabilities even though they are advancing from grade to grade? K.A.R. 91-40-7(a) |  |  |  |  |  |  |  |  |  |  |
| Each board’s policies and procedures under this regulation shall include age appropriate screening procedures that meet the following requirements:  (1) For children younger than five years of age, observations, instruments, measures, and techniques that disclose any potential disabilities or developmental delays that indicate a need for evaluation, including hearing and vision screening; |  |  |  |  |  |  |  |  |  |  |
| Each board’s policies and procedures under this regulation shall include age appropriate screening procedures that meet the following requirements:  (2) for children from ages five through 21, observations, instruments, measures, and techniques that disclose any potential exceptionality and indicate a need for evaluation, including hearing and vision screening as required by state law; and |  |  |  |  |  |  |  |  |  |  |
| Each board’s policies and procedures under this regulation shall include age appropriate screening procedures that meet the following requirements:  (3) implementation of procedures ensuring the early identification and assessment of disabilities in children  K.A.R. 91-40-7(b) |  |  |  |  |  |  |  |  |  |  |
| Any board may refer a child who is enrolled in public school for an evaluation if one of the following conditions is met:  (1) School personnel have data-based documentation indicating that general education interventions and strategies would be inadequate to address the areas of concern for the child.  K.A.R. 91-40-7(c)(1) |  |  |  |  |  |  |  |  |  |  |
| (2) School personnel have data-based documentation indicating that before the referral or as a part of the referral, all of the  following conditions were met:  (A) The child was provided with appropriate instruction in regular education settings that was delivered by qualified personnel.  (B) The child’s academic achievement was repeatedly assessed at reasonable intervals that reflected formal assessment of the student’s progress during instruction.  (C) The assessment results were provided to the child’s parent or parents.  (D) The assessment results indicate that an evaluation is appropriate.  K.A.R. 91-40-7(c)(2) |  |  |  |  |  |  |  |  |  |  |
| (3) The parent of the child requests and gives written consent for, an evaluation of the child, and the board agrees that an evaluation of the child is appropriate.  K.A.R. 91-40-7(c)(3) |  |  |  |  |  |  |  |  |  |  |
| **Part II: Revision of Policies, Practices, Procedures, if applicable** | Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.) | | | | | | | | Correctly revised and submitted to KSDE by the required deadline?  **YES/NO** | Reviewer Comments |
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| **Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable** | Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left and add lines below as needed.) | | | | | | | | Revised PPP publicly reported and submitted by the required deadline?  **YES/NO** | |
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| **Related Requirements Section 2:** Evaluations | | | | | | | | | **KSDE USE ONLY** | |
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| **Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement** | **Step One** | | | | **Step Two** | | | | **Verification** | |
| Is there evidence that a compliant **LEA Policy and/or Procedure** is in place?  **YES/NO** | **If YES**  Provide specific reference (document, section, and page) to the policy and/or procedure. | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Is there evidence that the **LEA** **Practices** are consistent with the regulatory requirement?  **YES/NO** | **If YES**  Provide specific reference to or statement of the evidence (i.e., file, interview, observation) | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Timely submitted by deadline and responses verified by KSDE?  **YES/NO** | Reviewer Comments |
| Does the district have and make known to families and district staff the procedures for requesting an initial evaluation?  K.A.R. 91-40-7(c) |  |  |  |  |  |  |  |  |  |  |
| Does the district conduct initial evaluations within state established timelines?  K.S.A. 72-3428(f)-(g) |  |  |  |  |  |  |  |  |  |  |
| Does the district conduct reevaluations when it determines that the educational or related services needs, including improved academic achievement and functional performance of the child warrant a reevaluation?  K.S.A. 72-3428(h)(1) |  |  |  |  |  |  |  |  |  |  |
| Does the district conduct reevaluations at least once every three years, unless the parents and the district agree that a reevaluation is unnecessary?  K.S.A. 72-3428(h)(2) |  |  |  |  |  |  |  |  |  |  |
| In conducting the evaluation, the agency shall: (1) Use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information, including information provided by the parent, that may assist in determining whether the child is an exceptional child and the content of the child’s individualized education program, including information related to enabling the child to be involved, and progress, in the general education curriculum or, for preschool children, to participate in appropriate activities; |  |  |  |  |  |  |  |  |  |  |
| (2) not use any single measure or assessment as the sole criterion for determining whether a child is an exceptional child or determining an appropriate educational program for the child; |  |  |  |  |  |  |  |  |  |  |
| (3) use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors; and |  |  |  |  |  |  |  |  |  |  |
| (4) in determining whether a child has a specific learning disability, not be required to take into consideration whether the child has a severe discrepancy between achievement and intellectual ability, and may use a process that determines if the child responds to scientific, research-based intervention as part of the child’s evaluation K.S.A. 72-3428(b) |  |  |  |  |  |  |  |  |  |  |
| Assessments and other evaluation materials used to assess a child under this section:  Are selected and administered so as not to be discriminatory on a racial or cultural basis;  K.S.A. 72-3428(c)(1) |  |  |  |  |  |  |  |  |  |  |
| Are provided and administered in the language and form most likely to yield accurate information on what the child knows and is able to do academically, developmentally and functionally, unless it is not feasible to so provide or administer;  K.S.A. 72-3428(c)(1) |  |  |  |  |  |  |  |  |  |  |
| Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided;  K.S.A. 72-3428(c)(3) |  |  |  |  |  |  |  |  |  |  |
| The assessments of any child who transfers from another agency during the school year are coordinated with the child’s prior school, as necessary and as expeditiously as possible, to ensure prompt completion of an evaluation begun by the prior school.  K.S.A. 72-3428(c)(4) |  |  |  |  |  |  |  |  |  |  |
| Each child shall be assessed in all areas related to a suspected exceptionality, including, if appropriate, health, vision, hearing, social/emotional status, general intelligence, academic performance, communicative status, and motor abilities.  K.A.R. 91-40-9 (b)(1) |  |  |  |  |  |  |  |  |  |  |
| **Part II: Revision of Policies, Practices, Procedures, if applicable** | Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.) | | | | | | | | Correctly revised and submitted to KSDE by the required deadline?  **YES/NO** | Reviewer Comments |
|  |  | | | | | | | |  |  |
| **Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable** | Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left and add lines below as needed.) | | | | | | | | Revised PPP publicly reported and submitted by the required deadline?  **YES/NO** | |
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| **Related Requirements Section 3:** Eligibility Determinations | | | | | | | | | **KSDE USE ONLY** | |
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| **Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement** | **Step One** | | | | **Step Two** | | | | **Verification** | |
| Is there evidence that a compliant **LEA Policy and/or Procedure** is in place?  **YES/NO** | **If YES**  Provide specific reference (document, section, and page) to the policy and/or procedure. | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Is there evidence that the **LEA** **Practices** are consistent with the regulatory requirement?  **YES/NO** | **If YES**  Provide specific reference to or statement of the evidence (i.e., file, interview, observation) | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Timely submitted by deadline and responses verified by KSDE?  **YES/NO** | Reviewer Comments |
| Upon completion of the administration of assessments and other evaluation materials:   1. The determination of whether the child is an exceptional child shall be made by a team of qualified professionals and the parent of the child in accordance with this section; and   K.S.A. 72-3428(e) |  |  |  |  |  |  |  |  |  |  |
| (2) A copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent.  K.S.A. 72-3428(e) |  |  |  |  |  |  |  |  |  |  |
| In making a determination of eligibility under this section, a child shall not be determined to be an exceptional child if the determinant factor for such determination is lack of instruction in reading, including instruction using the essential components of reading instruction, math or limited English proficiency.  K.S.A. 72-3428(f) |  |  |  |  |  |  |  |  |  |  |
| **Part II: Revision of Policies, Practices, Procedures, if applicable** | Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left.) | | | | | | | | Correctly revised and submitted to KSDE by the required deadline?  **YES/NO** | Reviewer Comments |
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| **Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable** | Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left.) | | | | | | | | Revised PPP publicly reported and submitted by the required deadline?  **YES/NO** | |
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| **Related Requirements Section 4:** Procedural Safeguards | | | | | | | | | **KSDE USE ONLY** | |
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| **Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement** | **Step One** | | | | **Step Two** | | | | **Verification** | |
| Is there evidence that a compliant **LEA Policy and/or Procedure** is in place?  **YES/NO** | **If YES**  Provide specific reference (document, section, and page) to the policy and/or procedure. | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Is there evidence that the **LEA** **Practices** are consistent with the regulatory requirement?  **YES/NO** | **If YES**  Provide specific reference to or statement of the evidence (i.e., file, interview, observation) | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Timely submitted by deadline and responses verified by KSDE?  **YES/NO** | Reviewer Comments |
| The parents of a child with a disability are provided written notice a reasonable time before the public agency propose or refuses to initiate or change the identification or evaluation of a child.  K.S.A. 72-3430(b)(2) |  |  |  |  |  |  |  |  |  |  |
| The contents of such notice include a description of any evaluation procedures such agency proposes to conduct.  K.S.A. 72-3428(b) |  |  |  |  |  |  |  |  |  |  |
| The notification is written in language understandable to the general public, provided in the native language of the parents if feasible to do so, and the parents understand the content of the notice.  K.A.R. 91- 40-26(b) |  |  |  |  |  |  |  |  |  |  |
| **Part II: Revision of Policies, Practices, Procedures, if applicable** | Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. | | | | | | | | Correctly revised and submitted to KSDE by the required deadline?  **YES/NO** | Reviewer Comments |
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| **Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable** | Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. | | | | | | | | Revised PPP publicly reported and submitted by the required deadline?  **YES/NO** | |
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| **Section 5:** Related General Institutional Policies, Practices, Procedures - *Identification* | | | | | | | | | **KSDE USE ONLY** | |
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| **Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement** | **Step One** | | | | **Step Two** | | | | **Verification** | |
| Is there evidence that a compliant **LEA Policy and/or Procedure** is in place?  **YES/NO** | **If YES**  Provide specific reference (document, section, and page) to the policy and/or procedure. | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Is there evidence that the **LEA** **Practices** are consistent with the regulatory requirement?  **YES/NO** | **If YES**  Provide specific reference to or statement of the evidence (i.e., file, interview, observation) | **If NO**  Briefly describe the noncompliance. | Is this **contributing** to the LEAs identified disproportionality?  **YES/NO** | Timely submitted by deadline and responses verified by KSDE?  **YES/NO** | Reviewer Comments |
| Do district policies and procedures in curriculum and instruction incorporate awareness of the ways in which race, ethnicity, culture, social class, ability and language impact learning? |  |  |  |  |  |  |  |  |  |  |
| Does the district provide professional learning and support in areas of differentiated instruction and general education supports to increase access to the general curriculum for all students? |  |  |  |  |  |  |  |  |  |  |
| Do schools provide an effective system of tiered supports for all students? |  |  |  |  |  |  |  |  |  |  |
| Does the district professional learning support collaboration among general and special educators? |  |  |  |  |  |  |  |  |  |  |
| Does the district provide training and coaching on administering and interpreting assessment data? |  |  |  |  |  |  |  |  |  |  |
| How are data on disproportionality integrated within the district and schools’ continuous improvement and planning processes? |  |  |  |  |  |  |  |  |  |  |
| **Part II: Revision of Policies, Practices, Procedures, if applicable** | Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.  (Note: This part required o*nly if* the general education policy, practice, or procedure was determined noncompliant with the IDEA.) | | | | | | | | Correctly revised and submitted to KSDE by the required deadline? Y**ES/NO** | Reviewer Comments |
|  |  | | | | | | | |  |  |
| **Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable** | Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures.  (This part required o*nly if* the general education policy, practice, or procedure was determined noncompliant with the IDEA.) | | | | | | | | Revised PPP publicly reported and submitted by the required deadline?  **YES/NO** | |
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| **LEA Certification of Accuracy** | | |
| By submitting this form, I verify that the information provided in this report is accurate. | | |
| **Name of LEA Representative Submitting this Report:** | | **Date:** |
|  | | |
| **KSDE USE ONLY** | | |
| **Self-Assessment Tool Review KIAS Compliance Processing** | Any LEA identified with noncompliance is required to take specific corrective actions to timely correct the finding of noncompliance as soon as possible and in no case more than one year from the state’s identification of the noncompliance. The correction of noncompliance includes updating relevant policies, procedures, and/or practices. | |
| **Compliance Determination based on Self-Assessment Tool: The LEA has been identified as having noncompliance with the following special education requirement(s):** | **COMPLIANT**  **No Corrections Required**  **NONCOMPLIANT**  **Updated Police, Procedures, and/or Practices Required** | **Comments:** |
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| **KSDE USE ONLY** | | |
| Date: KSDE Initial Compliance Notification sent to LEA (Use this field if correction of noncompliance required. If correction of noncompliance is not required after initial review, use the KSDE Final Compliance Notification sent to LEA field below.) |  | |
| **Correction of Noncompliance Review** | | |
| **Date: Correction of Noncompliance due to KSDE** |  | |
| Date: Correction of Noncompliance Submitted |  | |
| Date: KSDE review of correction of updated policies, practices, and/or procedures |  | |
| **Final Compliance Determination** | **COMPLIANT**  **Correction of polices, practices and/or procedures reviewed by KSDE and completed within timeframe**  **NON-COMPLIANT Noncompliance still not corrected – further revisions required to policies, practices, and/or procedures** | **Comments:** |
| **Date: KSDE Final Compliance Notification sent to LEA** |  | |
|  | | |