

SEK Interlocal #637
Procedures Manual
(Updated 2/3/2026)

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Initial Referrals

General education completes interventions through the SIT or MTSS process. This procedure may vary from one building to another and from one student to another. The official Special Education evaluation process begins on the date the parent returns the signed Permission to Evaluate form although information collected in the MTSS/SIT process may be used as part of the Evaluation.

WebKIDSS Procedure:

Responsible Party:

Steps 1, 2, and 4. Evaluation Coordinator (School Psych or Related Service Provider)

Step 3. IEP Primary Provider (Teacher)

1. Create a new student by filling out enough demographic data to access forms.
2. Utilize forms available as needed to obtain Permission to Evaluate, give 10 days Notice of Meeting, Evaluation/Eligibility Report, and Prior Written Notice of Proposed Action.
3. **If student is placed**, develop remainder of the IEP and submit paperwork as requested on the Procedures checklist.
4. **If student is not placed**, send the following to the Interlocal Office:
 - a. Procedures checklist with clear indication that student was not placed. (On Dates/Ed Status Page; Indicate Not placed, date and reason not placed)
 - b. Complete evaluation/eligibility report.
 - c. Signature pages of all documents as per usual including Prior Written Notice Form.
 - d. A paper copy of this information is to be filed at the local level for future reference.

Considerations:

- a. Services for students determined eligible must be implemented (by statute) **within 60 school days** after signed permission to evaluate is returned.

Timeline for Initial Evaluation

The timeline for completing initial evaluations is **60 school days**. The timeline starts when the agency **receives*** written parent consent to conduct the evaluation and ends with the implementation of an IEP if the child is found eligible **or** completion of the team meeting evaluation report if the child is not found eligible.

*best practice is to date stamp consent document when received

Exceptions to the Timeline

There are only three specific instances when an extension of the 60 school-day timeline may be justified:

1. Parents repeatedly fail or refuse to produce the child for the evaluation (documentation required) **or**
2. Child enrolls in a new district after evaluation has begun. Parent and new school district must agree to a specific timeline for completion **or**
3. Parent and school agree in writing to extend the timeline prior to the end of the 60 school days

Procedure to Extend the Timeline

The school psychologist must receive consent to extend the timeline using Webkidss form WK-96 Evaluation/Reevaluation Extension. Parent consent to extend the timeline must be obtained in writing **prior** to the end of the 60 school days. It should be noted that specific language is required as to how long the timeline is extended.

Please see our [training resource here](#) for more information.

JUSTIFICATION:

The proposed, new due date is

I, the parent/legal education decision-maker of, agree to the extension of the 60-school day timeline and new evaluation/reevaluation due date, as described above.

Annual IEP Review

The IEP Primary Provider is the responsible person to assure the Annual IEP Review is completed in a timely manner. The School Psychologist or Related Service Provider may be asked to provide information or complete their part of the IEP (example: speech goal).

Steps:

1. Notify parents and other IEP team members (See Meeting Notices section) in plenty of time to ensure the IEP meeting can be completed within the 1 year deadline.
2. Develop a “draft” IEP to discuss with the IEP team at the meeting.
3. Conduct the IEP meeting
4. Complete required WebKIDSS work and send required paperwork to the Interlocal MIS Office via fax, mail, drop-box, or Filebound. (see Procedures Checklist)

TIMELINESS OF IEP REVIEWS:

Conducting the IEP review within the 1-year time frame is a ‘big deal’ to KSDE and is easily monitored by them. Even though it is possible to continue to provide services to students beyond the 1-year review date, every effort should be made to complete the review on time.

Meetings can be conducted without the parents in attendance if the school, despite repeated attempts, has been unable to make satisfactory arrangements with them. The school must keep a record of its attempts to involve the parents which should include, at a minimum, two attempts using at least two methods (written, telephone, or personal visits)

Meeting Notices

1. For initial notice, utilize Notice of Meeting form in WebKIDSS.
2. For second or third notices, **File** previous Notice on WebKIDSS and indicate 2nd or 3rd on the new Notice form.
3. All Notices should be submitted with checklists. Other attempts (telephone, email, in person) to contact parents should be documented on the Parent Contact Log (101.3a).
4. *A school may conduct an IEP meeting without the parent(s) in attendance if the school, **despite repeated attempts**, has been unable to contact the parents to arrange for a mutually agreed upon time or to convince the parents that they should participate (K.A.R. 91-40-17(e)(1); 34 C.F.R. 300.322(d)).* The school must keep a record of its attempts to arrange a mutually agreed on time and place to secure the parents' participation. The record shall include at least two of the following:
 - Detailed records of telephone calls made or attempted, including the date, time, person making the calls, and the results of those calls;
 - Detailed records of visits made to the parents' home or place of employment, including the date, time, person making the visit, and the results of the visits;
 - Copies of correspondence sent to the parents and any responses received; and
 - Detailed records of any other method attempted to contact the parents and the results of that attempt. K.A.R. 91-40-17(e)(2)

Districts are encouraged to use their judgment about what constitutes a good-faith effort in making repeated attempts to involve each family in the IEP process. **At minimum, school districts must at least make two attempts, using at least two methods, to involve the parents in the IEP team meeting.**

Attendance at IEP Meetings

Each IEP Meeting must include the following participants:

- a. One or both of the child's parents/legal decision maker
- b. At least one regular education teacher of the child*
- c. **At least** one special education teacher of the child
- d. A LEA representative
- e. An individual who can interpret the instructional implications of evaluation results
(This may be the special education teacher. See 4 below.)

Other pertinent points:

- 1. The child, if they will reach age 14 or over during the 12 month IEP period, must be invited to the IEP meeting.
- 2. There must be a **written agreement and consent** to excuse a team member if parents and LEA agree that an IEP team member is not needed because their area of curriculum or related services is not being modified or discussed.
- 3. There must be a written agreement and consent **and written input into the development of the IEP prior to the meeting** to excuse a team member whose area of the curriculum or related services is being modified or discussed.
- 4. The law allows individuals to represent more than one of the membership roles on the IEP team, providing they meet the qualifications of the role **(if this is the case, it should be documented on the signature page of the IEP).**

*If the child is, or may be, participating in the general education environment

Changing an IEP

Responsibility: Primary Provider

I. Changing an IEP Without An IEP Meeting

- a. Amendment form must be completed and signed by parent and school representative. **No parental notice of meeting form is needed** and entire IEP team does not have to participate; however, the team should be informed of the changes that were made.
- b. Prior Written Notice form must be executed in a normal manner.
- c. Be sure the Prior Written Notice form information matches that of Amendment form.

II. Changing an IEP With An IEP Meeting

- a. Notice of meeting must be given and all members of the IEP team must meet and agree on the changes.
- b. Prior Written Notice form must be executed in a normal manner

III. WebKIDSS Procedures

- a. Click on “Add New/Amendment IEP Record” (from Demographics page)
- b. Choose “Add Amendment IEP”
This will bring up a copy of the IEP for you to make the amendments.
- c. Amend portions of the IEP as agreed upon and SAVE
- d. Amended IEP will show up on the IEP Record Box with the same date as the original IEP with a lower case “a” beside it.
- e. Any further amendments are done in the same way and another IEP with an “a” beside it will show up on the IEP Record Box (the one on top is the latest one).

Transfer IEPS

Students that transfer in with an IEP may be handled in one of the following ways:

1.) **Transfers within same State:** If a child with a disability (who had an IEP that was in effect in a previous public agency in the **same State**), transfers to a new public agency in the same State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents), must provide **FAPE** to the child (**including services comparable to those described in the child's IEP** from the previous public agency), **until** the new public agency either:

a.) Adopts **the child's IEP from the previous public agency; or**

b.) Develops, adopts, and implements a **new IEP** that meets the applicable requirements (*Sec. 300.320-300.324*)

2.) **Transfers from out of State:** If a child with a disability (who had an IEP that was in effect in a previous public agency in **another State**) transfers to a public agency in a new State, and enrolls in a new school within the same school year, the new public agency (in consultation with the parents) must provide the child with **FAPE** (including **services comparable to those described in the child's IEP** from the previous public agency) until the new public agency:

a.) Adopts **the child's IEP from the previous public agency; or**

b.) Develops, adopts, and implements a **new IEP** that meets the applicable requirements (*Sec. 300.320-300.324*), **or**

c.) Conducts an **evaluation** pursuant to *Sec. 300.304-300.306* (**if determined to be necessary** by the new public agency); **and** develops, adopts, and implements a **new IEP, if appropriate**, that meets the applicable requirements in *Sec. 300.320- 300.324*.

***Status Code: When a student enters from out of the catchment area, the status code remains E for the entire school year even if new IEP is written. Status Code does not change to C until the following school year.**

Transfer Within Catchment Area

What you do when a student comes to you from within the 13 districts in the Interlocal

- Status Code remains the same from previous school
- On Anticipated Services Page, duplicate each service line for the current school year. Put end date in for previous school building/provider lines. On duplicated service lines, put start date in (date student entered your district) and change provider and building for the new building/providers.
- Notify all service providers that they have access to student's IEP

OPTIONS:

1. Adopt As Is -Is IEP compliant? <u>If NO, proceed to step 2 or step 3.</u> -Can building provide the services listed? Do the following forms: -T-101 Adoption Transfer IEP form Follow Checklist for Adopt as Is (Can write "on Webkidss/ Filebound" when it asks for previous paperwork from sending school; New Medicaid forms need completed only if there are changes to therapeutic services or no form on file)	2. Amend Transfer IEP -Is IEP compliant? -Will the non-compliant sections be amended? <u>Create Amendment IEP record</u> Follow Checklist for Transfer w/Amendment (Can write "on Webkidss/ Filebound" when it asks for previous paperwork from sending school; New Medicaid forms need completed only if there are changes to therapeutic services or no form on file)	3. Write New IEP: -Create new IEP record -Follow Checklist for Transfer with new IEP written. (Can write "on Webkidss/ Filebound" when it asks for previous paperwork from sending school)
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In State - Out of Catchment--Webkidss IEP

What to do when a student comes to you from outside of the Interlocal but from the state of KS with a Webkidss IEP.

- Request *ftp import from sending school
- Request signatures pages from sending school
- MIS secretaries create incoming IEP record with IEP date from previous school and E status code once sending school uploads Webkidss *ftp file. Notify MIS secretaries of *ftp upload.
- Initiation date is the date services began in current school (Example: Student enrolls at PHS on 11/2/2016 and PHS begins providing comparable services on 11/3/2016. Initiation date is 11/3/2016 and service lines begin 11/3/2016)
- On Anticipated Services Page, change providers and building to current building and providers. Unless amending IEP, keep services as written in transfer IEP.
- Notify all service providers that they have access to student's IEP

OPTIONS:

1. Adopt As Is -Is IEP compliant? <u>If NO, proceed to step 2 or step 3.</u> -Can building provide the services listed? Do the following forms: -Medicaid Forms: 401E.7, 401-b.7 -T-101 Adoption Transfer IEP form Follow Checklist for remainder required paperwork for Adopt as Is	2. Amend Transfer IEP -Is IEP compliant? -Will the non-compliant sections be amended? <u>Create Amendment IEP record</u> -Will only have services lines for current services Follow Checklist for Transfer w/Amendment paperwork requirements	3. Write New IEP: -Create new IEP record -Follow Checklist for Transfer with new IEP written.
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In State - Out of Catchment—NON-Webkidss IEP

What to do when a student comes to you from outside of the Interlocal but from the state of KS with a non-webkidss IEP.

-Create Webkidss record with an IEP date of the active transfer IEP. Will have E status code.

-Initiation date is the date services began in current school (Example: Student enrolls at PHS on 11/2/2016 and PHS begins providing comparable services on 11/3/2016. Initiation date is 11/3/2016 and service lines begin on 11/3/2016)

-On Anticipated Services Page, enter service lines with services (current providers and buildings) as written in Transfer IEP. Start date will be the same as initiation date. Services should be same as transfer IEP until you amend or write a new IEP.

--Notify all service providers that they now have access to student's IEP

OPTIONS:

1. Adopt As Is -Is IEP compliant? <u>If NO, proceed to step 2 or step 3.</u> -Can building provide the services listed? Do the following forms: -Medicaid Forms: 401E.7, 401-b.7 -T-101 Adoption Transfer IEP form Follow Checklist for remainder required paperwork for Adopt as Is	2. Amend Transfer IEP -Is IEP compliant? -Will the non-compliant sections be amended? <u>Create Amendment IEP record</u> Follow Checklist for Transfer w/Amendment paperwork requirements	3. Write New IEP: -Create new IEP record -Follow Checklist for Transfer with new IEP written.
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***If you adopt IEP, you must enter in IEP goals from transfer IEP so progress reports can be completed. Necessary information to create an IEP at-a-glance should also be entered.**

Out-of-State IEP

What to do when a student comes to you from out of state.

Transfers from out of State: a.) **Adopts the child's IEP from the previous public agency; or** b.) Develops, adopts, and implements a **new IEP** that meets the applicable requirements (*Sec. 300.320-300.324*), **or** c.) Conducts an **evaluation** pursuant to *Sec. 300.304-300.306* (**if determined to be necessary** by the new public agency); **and** develops, adopts, and implements a **new IEP, if appropriate**, that meets the applicable requirements in *Sec. 300.320- 300.324*.

FOUR OPTIONS:

1. Adopt As Is -Is IEP compliant? <u>If NO, proceed to step 2, step 3, or step 4.</u> -Can building provide the services listed? Do the following forms: -Medicaid Forms: 401E.7, 401-b.7 -T-101 Adoption Transfer IEP form Follow Checklist for remainder required paperwork for Adopt as Is	2. Amend Transfer IEP -Is IEP compliant? -Will the non-compliant sections be amended? <u>Create Amendment IEP record</u> Follow Checklist for Transfer w/Amendment paperwork requirements	3. Write New IEP: -Create new IEP record Follow Checklist for Transfer with new IEP written. 4. Conduct an Evaluation Follow evaluation procedures and appropriate checklist
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***If you adopt IEP, you must enter in IEP goals from transfer IEP so progress reports can be completed. Necessary information to create an IEP at-a-glance should also be entered.**

-Create Webkidss record with an IEP date of the active transfer IEP. Will have E status code.

-Initiation date is the date services began in current school (Example: Student enrolls at PHS on 11/2/2016 and PHS begins providing comparable services on 11/3/2016. Initiation date is 11/3/2016 and service lines begin on 11/3/2016) If the previous IEP team did not conduct an annual review of the incoming IEP and the annual IEP date is past due, set new IEP date the same as the initiation date.

-On Anticipated Services Page, enter service lines with services (current providers and buildings) as written in Transfer IEP. Start date will be the same as initiation date. Services should be same as transfer IEP until you amend or write a new IEP.

Exiting Students (report immediately and follow procedures checklist for paperwork requirements)

What to do when a student leaves your building (send requests for special education records to MIS office via fax)

1. Student staying within the 637 catchment area (stays within the 13 districts located in the Interlocal)

Do not put in an exit date or change status. Notify MIS of the end date for you and where they transferred. Notify receiving service providers and school psychologist that the student is now enrolled in their building.

Person Responsible: Primary Provider

- a. Email MIS staff to duplicate IEP for receiving provider. MIS staff will update to the correct primary provider.
- b. Follow the exit checklist for “Movement Between 637 Schools”
- c. Fill out and print a Student Exit Form (Form 105 on WebKIDSS)
- d. Send/deliver/Scan a copy of the Checklist, TIP, and Exit form to MIS.

2. Student leaving the 637 catchment area (moves to a district outside of the Interlocal districts)

Person Responsible: Primary Provider

- a. Follow the exit checklist for “Left Catchment Area”
- b. **Enter an exit date and exit status in the WebKIDSS system. Exit date is the last date student received services.**
- c. Complete the Student Exit form (Form 105) and send with TIP and checklist to MIS

3. Student leaving Special Education services (review “No Longer Eligible for Services”)

Person Responsible: School Psychologist

- a. Follow exit checklist and complete Student Exit form and necessary paperwork based on the type of exit.
- b. Enter exit date and exit status into WebKIDSS. Exit date is last date student received services.
- c. Send paperwork to MIS.

No Longer Eligible for Services

1. If **all** Special Education and Related Services are proposed to be discontinued:

- a. Permission to reevaluate must be obtained (Prior Written Notice for Evaluation/Consent)
- b. A reevaluation must be conducted (Evaluation/Eligibility Report)
- c. IEP team meeting must be held and members (including parents) agree that services should be discontinued (Prior Written Notice/Consent)

2. If **only part** of the Special Education and Related Services are proposed to be discontinued:

- a. A formal reevaluation does not need to be conducted
- b. Permission to reevaluate is not required
- c. IEP team meeting must be held and members (including parents) must agree that based on a review of the available data, services should be discontinued (Prior Written Notice/Consent)
- d. Use of the 'IEP amendment without a meeting' process is an acceptable method of discontinuing a service. If this method is used to discontinue a service, it is imperative that the change is communicated to other IEP team members.

Three-Year Reevaluation

The responsible person to assure the Reevaluation is completed in a timely manner is the Evaluation Coordinator (School Psych or Related Service Provider). The IEP Primary Provider may be asked to provide information. If, in the opinion of the professional staff, a reevaluation is not necessary, parent can be asked to waive this requirement.

Steps:

1. Obtain parental consent for reevaluation or waiver of reevaluation requirement.
 - a. Notice for Evaluation or Reevaluation Form
- OR**
- b. Reevaluation Not Needed Form
2. Complete the Evaluation/Eligibility Report (if reevaluation is done)
3. Provide information to the IEP Primary Provider to assist in writing the new IEP.
4. Proceed as in Annual Review.

OTHER:

Primary providers should give a list of reevaluations due during the year to the school psychologists at the beginning of the school year.

The Professional Development Plan (PDP) Toolbox

License renewal for most members of the Interlocal professional staff must be completed through the PDP Toolbox. Even those professionals who plan to renew based on college hours must submit transcripts of completed hours to the PDC Committee for approval and conversion to inservice points. A one-hour college credit course is equal to 20 inservice points and the number of inservice points required for relicensing is dependent on the educational degree held by the applicant

We use the PDP Toolbox to record goals, request permission and support for attending staff development activities **and** to request approval of in-service points used in the relicensing process

To access and use the PDP Toolbox, follow this procedure:

1. Go to www.greenbush.org
2. Click on “PDP Toolbox Consortium”
3. Then click on “PDP Toolbox Login Here Web Site”
4. Sign in. Our USD is 637. You have been assigned an individual user name and password. If you don’t know your username and password, contact Debbie Skahan at the Interlocal Office (phone 235-3180 or debbie@sekconnection.com)
5. Once you are into the Toolbox, there are three main choices.

“My Goals”

There are five main goals already listed and most all learning activities will properly fit under one of those goals. **It is not necessary to add any individual goals, but that is an option if desired.**

“Upcoming Learning Events”

This area is used to request permission and support to attend a professional development activity.

“Points Request”

This section is used to apply for inservice points after having completed a professional development activity. It is also used to request a point’s transcript when preparing to relicense.

The Website is somewhat self-explanatory and the **“Tutorial”** section is quite helpful. If assistance is needed, contacted Debbie Skahan.

Other Considerations

1. Schedule review IEPs and notify all other providers early enough so that if something unexpected comes up, the meeting can be rescheduled and still meet the 1 year statutory requirement for annual review. This also ensures that other providers have ample time to add their piece into the IEP.
2. As best practice, all providers should have their information entered into the IEP 24 hours in advance of the meeting. This allows time for the documents to be printed in advance of the meeting.
3. To the extent practical, avoid **review IEPs during the months of November and May**. This will assist in reducing problems associated with getting ‘everything’ submitted to the MIS office in a time frame to allow them to meet their December 1 and June 1 deadlines.
4. Primary providers are requested to give **a list of “Reevaluations” due during the year to the School Psychs** at the beginning of the year.
5. Progress Reports...be sure report is being written about the appropriate objective or benchmark.
6. Run Procedurals Dates Report monthly to ensure that requirements are completed in a timely manner.
7. The **Checklist** forms available in the Document Library in WebKIDDS can help guide what specific paperwork is required for any given action. If you are unsure of a process to follow, or paperwork required, please contact a member of the administrative team.

Guidelines and Procedures

Grants

Grant procurement is an excellent way to supplement opportunities for our students beyond available local, state and federal resources. SEK Interlocal #637 staff is encouraged to actively pursue grants when such efforts benefit students and align with the mission of the organization. To ensure staff efforts are appropriate, the following guidelines should be considered.

All grant proposals must be submitted to the SEK Interlocal Administration for preapproval prior to submission to the grant funder. This requirement applies to all Interlocal and school-based grants as well as grant partnerships with external organizations – regardless of whether or not the Interlocal is named as a formal recipient of funds.

The preapproval process will ensure: 1) the project is consistent with Interlocal goals, objectives and program efforts; 2) the Interlocal has the capacity to accomplish proposed activities; and 3) the grant conditions and stipulations can be met without conflicting with policies of the Board or with State and Federal law. Additionally, in some cases, the Interlocal is allowed only one application under a particular grant competition and the review process will assist to prevent eligibility conflicts

Special Education Transportation

When special education transportation is provided as a related service, please consider the following guidance for listing the service on the IEP.

1. On the *Demographics* page of the IEP, click *Yes* for *Transportation Provided* in the *School Data Y/N Questions* section.

Click “Yes” if this student receives transportation that is provided to Special Education students that is not available to regular education students.

2. If yes, must include on anticipated services page and special ed/related services page. Code it as “T” Extracurricular.

3. On Form 103.2 *Notice for Id, Change and Request for Consent*, include a statement of the need for special transportation.

As a reminder:

What is special transportation? Special transportation is a related service that must be indicated on the service lines of the student's IEP. It means the student needs something above and beyond what all kids receive transportation-wise or need special considerations for transportation for the student to access their special education services. (ie. wheelchair lift on bus; transportation to out-of-district special ed program such as TLC, etc).

IEP teams determine need for services, including special transportation, and the team should work through least to most, thinking through considerations such as: would accommodations and/or a behavior intervention plan be sufficient on the regular route to meet the student's needs? A lot of needs can be met in different ways so this should be considered carefully and must include your building admin in the conversations.

Please follow the district process for transportation requests if the team determines special transportation is needed as each district may have a different process. If you are unsure, please contact your building principal for further guidance.

WHO CAN GIVE CONSENT FOR EDUCATIONAL DECISIONS?

1. **Parents are available**

- A. **Natural (biological) parent(s):** If parents are divorced, notify both parents unless a court order precludes this from happening. Consent from one parent is sufficient even if the other parent refuses to consent.
- B. **Adoptive parent(s):** If adoption is not final, an education advocate is needed; documentation is the 'Decree of Adoption'.
- C. **Guardian:** Guardianship has been completed and is documented with "Letters of Guardianship" issued by a court.

2. **Parent is unknown or unavailable (Person acting as a parent)**

- A. **Person Acting as a Parent:** A person, such as a grandparent, stepparent or other relative with whom a child lives, or a person other than a parent who is legally responsible for the welfare of a child.
- B. **Education Advocate:** Appointment as an education advocate has been completed and is documented with a Letter of Appointment from Families Together.
- C. **Foster parent:** Only if appointment as an education advocate has been completed and is documented with a Letter of Appointment from Families Together.

- 3. **The student at age 18:** At age 18 the student becomes his/her own educational decision-maker unless determined by a court to be incompetent.

Guidance on Determining Parent or Legal Guardian

School personnel must determine the appropriate person(s) to make educational decisions on behalf of the child. Those individuals have a right to receive notice, give or revoke consent, file formal complaints, request mediation, file for a due process hearing, give or deny permission for release of records, etc. (See KSDE Memo: "Definition of a Parent" at <http://www.ksde.org/Default.aspx?tabid=2833#memo.>)

Definition of a Parent

- In Kansas "parent" is defined as:
- A natural (biological) parent;
- An adoptive parent;
- A person acting as a parent;
- A legal guardian;
- An education advocate; or
- A foster parent, if the foster parent has been appointed the education advocate of an exceptional child. (K.S.A. 72-962(m); 34 C.F.R. 300.30)

"Person acting as a parent" means a person such as a grandparent, stepparent or other relative with whom a child lives, or a person other than a parent or relative who is legally responsible for the welfare of a child.

If there is more than one party qualified to act as a parent, and the biological or adoptive parents attempt to act as the parent, the biological or adoptive parents must be presumed to be the parents and legal decision makers, unless they do not have legal authority to make educational decisions for the child. A judge may decree or order a person acting as a parent or a legal guardian or persons to act as the "parent" to make educational decisions for the child. The school shall recognize this person(s) as the legal decision maker for the child (K.A.R. 91-40-27(c); 34 C.F.R. 300.30(b)(1)(2)).

If parents are divorced, regardless of which parent has primary custody, the school must provide Prior Written Notice of any special education action to both parents, even if only one parent has the right to consent, unless a court order precludes this from happening. This applies to all special education notice requirements including notice of an IEP meeting. If the school is only aware of one parent's address, the school must make reasonable efforts to locate the other parent in order to provide notice. However, consent from one parent is sufficient. In the event that the school receives consent forms from both parents, with one parent providing consent for the action and the other denying consent, the school is deemed to have received consent and must fulfill its obligation to provide FAPE to the student. The parent who denies consent has the right to request mediation or file for due process.

Vocational Rehabilitation

The Vocational Rehabilitation (VR) program was established to help restore and/or develop the working ability of disabled Kansans to the extent that they may become gainfully employed. Services include and are not limited to vocational guidance and counseling assistance in obtaining an appropriate job, diagnostic examinations purchasing prosthetic devices and training.

Eligibility is based upon an individual having a disability that constitutes a substantial handicap to employment. There must be a reasonable expectation that Vocational Rehabilitation services will benefit the individual in terms of employment.

Responsible Party(s): Primary Provider steps 1 and 2, Interlocal central office for step 3.

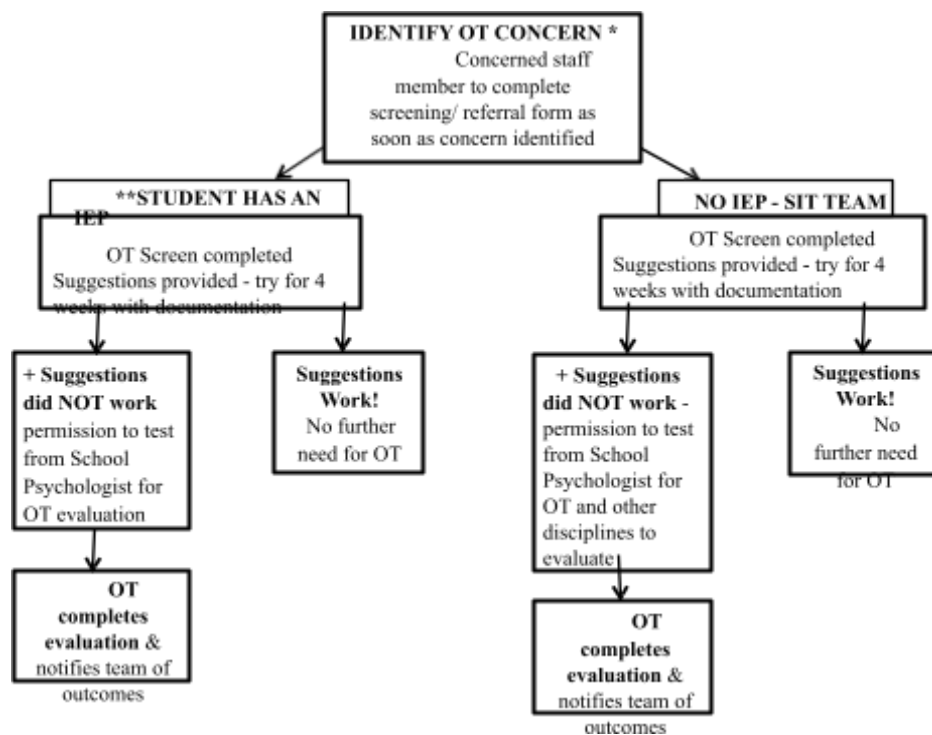
Steps for Making a VR Referral:

1. Parents (or student if 18 or older) must sign the “501-SEK #637 Voc.Rehab.Refer” which may be found on the IEP in Web KIDSS under “Enter IEP Forms Data.”
2. This form should be sent to the Interlocal with IEP meeting paperwork. Make sure to indicate that the form is included on the Procedures Checklist.
3. The form will then be delivered from the Interlocal to the Department of Children and Families.

Once VR has obtained the form they will send a letter to parents (students if they are 18 or older) inviting them to an orientation meeting. There are typically two meetings per month from which they may choose. It is up to the parents (or student if 18 or older) to attend the orientation meeting to review the eligibility for specific VR services.

*****Additional information regarding specific services offered by VR may be found on www.sekconnection.com under “Teacher Resources” then “Transition-High School”**

Occupational Therapy Referral Protocol



LEGEND

* Please note children 3 and under in Early Childhood Programs please allow time for development/exposure in program prior to OT referral

** Please make note of when student's IEP date is to assist with reduction of IEP amendments

+ School psychologist - Please specify OT on actual permission to test form and notify OT staff of date parent signature on form

5/20/201

6

Narrative Guidance for OT referral

When a student has an IEP.....

1. Outline of specific duties in the completion of an OT evaluation when student already has an IEP and qualifies for OT:

- OT notifies team the evaluation is complete.
- Primary Provider sets up meeting to discuss results of evaluation and sends Notice of Meeting.
- Primary Provider creates new or amended IEP record on WebKIDSS
- OT adds evaluation results to health and physical, goals, and service time.
- The following forms must be completed and sent to Interlocal office. If this is a re-evaluation with an amended IEP see A1. If this is a re-evaluation with a new IEP written see B1.

A1. The following forms must be completed and sent to Interlocal office for a re-evaluation with an amended IEP. Forms will be sent to office by primary provider.

- o Notice of Meeting. To be completed by Primary Provider.
- o Amended IEP
- o Notice for ID Change and Request for Consent (Placement Form)
Occupational therapy will note the addition of their services and other team members will note any other changes that occur at this same time.
- o Notice for Evaluation or Re-Evaluation (Permission to Test). To be completed prior to evaluation by school psychologist.
- o Evaluation / Eligibility Report. To be completed by OT.
- o TIP (Teacher Information Page).

B1. The following forms must be completed and sent to the Interlocal office for a re-evaluation with a new IEP written. Forms will be sent to office by primary provider.

- o TIP (Teacher Information Page)
- o Medicaid reimbursement form. Parents sign at meeting.
- o Doctor Rx form
- o Updated student Medicaid Form.
- o Notice for Evaluation or Re-Evaluation. To be completed prior to evaluation by school psychologist.
- o Evaluation Eligibility Report. To be completed by OT.
- o Notice of meeting. To be completed by Primary Provider.
- o Annual IEP.
- o Notice for ID Change and Request for consent (Placement Form).
Probably to be completed by school psych or Primary Provider.

2. Outline of specific duties in the completion of an OT evaluation when student already has an IEP and does not qualify for OT:

- OT notifies team the evaluation is complete.
- Primary Provider sets up meeting to discuss results of evaluation and sends Notice of Meeting.
- Primary Provider creates amended IEP record on WebKIDSS
- OT adds evaluation results to health and physical
- The following forms must be completed and sent to Interlocal office. The following forms will be sent in by the primary provider.
 - Notice of Meeting. To be completed by Primary Provider.
 - Amended IEP
 - Notice for ID Change and Request for Consent (Placement Form)
Occupational therapy will state on the placement form that the student does not meet eligibility criteria for occupational therapy services. Other team members will note any other changes that occur at this same time.
 - Notice for Evaluation or Re-Evaluation (Permission to Test). To be completed prior to evaluation by school psychologist.
 - Evaluation / Eligibility Report. To be completed by OT stating the student does not qualify for OT.
 - TIP (Teacher Information Page).

When a student does not have an IEP.....

Outline of specific duties in completion of OT evaluation process when student does not have an IEP, and the evaluation includes multiple disciplines (i.e. academic, speech, etc.). This also applies to evaluations in which speech is primary.

- OT and all other team members that are completing evaluations notify the team the evaluation is complete.
- Primary Provider sets up meeting to discuss results of evaluation and sends Notice of Meeting.
- Primary Provider creates new IEP record on WebKIDSS
- All team members that complete evaluations add their evaluation results to their IEP sections
- If student qualifies for a particular service, that provider will add goal(s), and service time to the IEP.
- Primary Provider or School Psych adds other information on IEP (i.e. demographics, dates, etc.)
- The School Psych or Primary Provider will complete and send in forms as per Initial Evaluation checklist.

Individualized Education Plan (IEP) Development

A. Overview

Writing and creating an effective IEP is a critical component to ensure the progress of a student with an exceptionality. The IEP creates an opportunity for all stakeholders: parents, school administrators, general education teachers, and special education providers to improve educational results for students with exceptionalities. It is important to note that when creating individualized programs, IEP teams should start with student strengths, parent input, and present levels of academic achievement and functional performance to understand what the student's needs are in order to make progress toward the general curriculum. Once the team has identified the student's needs, they will need to create individualized goals that will help the student make progress and address their needs. IEP teams will then need to see what accommodations, modifications, and supplementary aids are needed to assist in reaching those goals. Then the IEP team will address what services will be needed to address goals and needs. The last item a team should discuss is the location in which these services can be provided in order to meet the student's needs and IEP goals.

Resource: [What is Special Education and Guide to Writing IEPs](#)

Resource: Our Procedural Manual provides further information on timelines, and who should be invited to the meeting. [Found Here](#)

Resource: [Blank IEP](#)

B. Present Levels of Academic Achievement and Functional Performance

The Present Levels of Academic Achievement & Functional Performance (PLAAFPs) summarize all aspects of a child's present levels of performance and provide the foundation upon which all other decisions in the IEP will be made. PLAAFPs contain information that ranges from very broad to highly specific. Many kinds of information are required to develop a legal and meaningful plan.

Through the PLAAFPs, you will:

- a) Identify and prioritize the specific needs of the child
- b) Establish a baseline level of performance in relation to the general curriculum academic standards in order to develop an individualized and meaningful plan
- c) Identify the degree of match between the skills of the child and the instructional environment for the purpose of guiding decision-making

From PLAAFP information the IEP determines the supports that need to be built into a student's plan to improve the student's academic achievement and functional performance. PLAAFPs must include three parts.

1. Current performance
2. The impact of the exceptionality
3. Baseline data for identified needs

These three parts of the PLAAFPs move from broad to very specific information about the student's academic achievement and functional performance. Information must be sufficient to enable the team to design good instruction and make appropriate service decisions. (KSDE 2017)

Below are examples of how IEP teams can better identify specific needs in the PLAAFPs. Click on the links below the table to find more specific examples from KSDE and PACER.ORG (Champions for Children with Disabilities)

More PLAAFP Resources:

KSDE- [PLAAFP Examples for each component](#) (Current Performance, Impact of Exceptionality, & Baseline)

Pacer- [Understanding PLAAFPs](#); Pacer- [PLAAFP Examples](#)

ECSE training information:  Training Slides: Early Childhood Special Education

C. Four Components of a Goal

Annual goals are statements that describe what a student with a disability can reasonably be expected to accomplish within a period of time (not to exceed 12 months) in the student's special education program. Annual goals identify the areas in which a student with a disability needs special education services/specially designed instruction based on needs identified in a student's present levels of academic achievement and functional performance (PLAAFPs). Measurable goals are defined as statements that contain four critical components: timeframe, conditions, behavior, and criterion. A measurable goal includes the behavior or skills that can be measured at period intervals against a criterion of success.

Please review [these PowerPoint slides](#) for more details on IEP goal components and examples along with progress report information.

D. Accommodations and Modifications

Students who receive special education services often need accommodations in their education programs. Accommodations help a student accomplish their IEP goals, participate and make progress in the general curriculum, be educated with students with and without disabilities, and participate in extracurricular activities.

An **accommodation** allows a student to complete the same assignment or assessment but with a change in time, formatting, setting, scheduling, or response. Accommodations do not alter assignments or tests measures in a significant way. Examples include the use of a calculator, testing in a quiet setting, read aloud, or using a Braille version of a test.

A **modification** is an adjustment to an assignment or a test that changes the standard or what the assignment/assessment is supposed to measure. Examples include shortening assignments, giving page numbers to help students find answers, and allowing partial work on assignments (PACER.ORG).

E. Special Education and Related Services

Special education services mean specially designed instruction to meet the unique needs of a child with an exceptionality and include physical education, travel training, and vocational education. These services must be provided at no cost to the parents. Specially designed instruction means adapting content, methodology or delivery of instruction as appropriate to address the needs of the student that result from the child's exceptionality and to ensure access to the general curriculum.

Related Services are developmental, corrective, and supportive services required to assist a child, who has been identified as a child with an exceptionality, to benefit from special education services. Generally, when needed, related services are provided in addition to special education instruction. Once the child has been identified as a child with an exceptionality the child need not meet the eligibility criteria for another area of exceptionality in order to receive related services. Special Education and Related Services must include a projected Start/End Date, Frequency, Duration, and Location of services.

F. Progress Reports

Progress reports must be completed in Webkidss and provided to parents as often as general education parents receive reports of progress. When progress reports are completed, the progress of the student toward the goal will have to be reported using the same measurement method as used to collect the baseline data. Progress reports are a great time to look at the data collected and determine if the specially designed instruction and interventions are working. If the student is failing to make progress, it might be time to change the strategies and interventions being used or hold an IEP meeting if there are environmental factors that could be impacting progress (trauma, absences, etc.)

G. Transition Resources

Starting during the IEP year in which a student is 14 years old, state law dictates that IEP teams must start transition planning for all students. Below you can find resources to help with writing effective transition goals and plans for your students as well as other transition resources.

Transition Training and Training on the Transition Sections of the IEP [found here](#) and [found here](#).
Transition Planning Training for students with more significant disabilities [found here](#).
Resource for parents: [Secondary Transition in the IEP: What Parents need to know](#).

H. Assistive Technology

The IEP team must determine whether a student needs assistive technology (only for Children w/Disabilities), which could be a device or service, software, or equipment, and if so, the nature and extent to be provided. Any needs identified should be reflected in the content of the IEP. An assistive technology evaluation may be required to determine if the child would need an assistive technology service or device. This should be a team approach and consultation with related service providers may be necessary. Please discuss with your special education coordinator for further information if need is identified.

I. State Assessments

State Assessments are given annually by school districts across Kansas. Please follow your district and building state assessment procedures and policies.

Resource: [DLM Training](#)

- DLM Participation Guidelines for Kansas: Use and [complete this form](#) at every annual IEP meeting for a student that the team is considering the Dynamic Learning Map Alternate Assessment. This form is also included in Webkidss under Forms. Parents must also receive notification and a letter for the parent autprints with the IEP if the Alternate Assessment is selected.
- DLM Reminders: For a student taking the alternate assessment, instruction and IEP goals must be based on the essential elements and indicated as such in the IEP. IEP goals must have benchmarks and short-term objectives for the IEP goals related to the alternate assessment. Justification for the DLM also must be indicated in the IEP as prompted.
- Accommodations on general state assessment: Please communicate with your district testing coordinator. Just a reminder that in order for an accommodation to be used on the state assessment, it must be documented in the IEP as well as in the student's Personal Needs Profile (PNP), and used on a regular basis on all assessments.

Writing Effective Prior Written Notices

One of the procedural safeguards afforded to parents is the required Prior Written notice of certain proposed special education actions. This notice must be provided to parents with a reasonable amount of time before the date the school proposes to initiate or change the: 1) identification, 2) evaluation, 3) educational placement, or 4) provision of special education and related services (FAPE) of the child. Prior written notice is also provided when a school refuses a parent's request to initiate or change any of the aforementioned areas of an IEP.

Prior Written Notice provided to parents for a proposed special education action must contain specific information and be provided in a language understandable and in the native language of the parent if feasible:

- A description of the action proposed or refused
- An explanation of why the school proposes or refuses to take the action
- A description of each evaluation procedure, assessment, record, or report the school used as a basis for action
- A description of the other options the IEP team considered and why they were rejected
- A description of any other factors relevant to the proposal or refusal

A more in-depth resource and guidance can be found here: [PWN Training](#)

Behavior Supports

A. Levels of Tiered Support for Students with Behavioral Needs

When a student's behavior impedes the student's learning or that of others, the IEP team must consider the use of positive behavioral interventions and supports, and other strategies to address that behavior. The IEP team can document this being addressed in multiple ways including: Supplementary Aids, Accommodations and Modifications, IEP goals, and/or behavior intervention plans (BIPS) and Functional Behavior Assessment (FBA). Special education providers should always use a team approach and pull the IEP team together to identify the target behavior(s) and to create a plan to address those behaviors.

Resources:

[Sample IEP Goals Addressing Behavior](#)

[Article: 9 examples of Positive Behavior Supports](#)

B. Behavior Intervention Plans (BIPs) & Functional Behavior Assessments (FBA)

A behavior intervention plan is a plan that includes a description of student social/emotional strengths, a description of the target behavior(s), possible triggers, a hypothesis, and strategies. Sometimes a crisis management plan is also needed. BIPs are developed in consultation with the IEP team and often include the school psychologist.

A functional behavior assessment is a process for identifying target behaviors and developing interventions to improve or eliminate those behaviors. An FBA consists of information-gathering procedures that result in a hypothesis about the function(s) that the behavior is serving for the student.

It is important to remember that all behavior is communication. When we can understand how a child's behaviors serve as communication we can start to devise strategies to teach the child to communicate in appropriate ways.

Our special day school teams and our school psychologist have access to [Behavior Advantage](#), an online software tool for assisting with conducting FBAs, developing research-based behavior intervention plans, and collecting data.

Additional Resources:

TASN resources on FBA and BIP can be [found here](#) with access to a lot of great tools.

Mental Health and FBA's resource: [Found here](#)

Selecting Behavior Interventions: [Tool found here of evidence-based practices.](#)

How can we ensure IEP teams are providing necessary supports: [Info found here](#)

[Strategies for setting data-driven behavioral IEP goals](#)

[PACER guide for Behavior Intervention Plans](#)

[PACER overview of FBAs](#)

[PACER: Examples of Positive Behavior Interventions](#)

Suspension/Expulsions and Manifestation Determination Review Guidance

Suspension/Expulsion may occur throughout the year for some students. It is important for teams to be proactive and develop plans to decrease behaviors that could impact a student's learning or the learning of others. If one of your students is experiencing challenging behaviors, begin addressing them immediately with the school team. This could be through a variety of ways such as: Supplementary Aids, Accommodations and Modifications, IEP goals, and/or behavior intervention plans (BIPS) and Functional Behavior Assessment (FBA). Special education providers should always use a team approach and pull the IEP team together to identify the target behavior(s) and to create a plan to address those behaviors.

It is important to establish an effective flow of communication with your building team and your school psychologist that would be beneficial to ensure all staff are communicated with if and when a student is suspended or expelled to ensure the appropriate processes can be followed, the appropriate documentation is completed as a result, and teams are meeting if necessary to address behaviors concerns.

Before moving on please refer to the KSDE process handbook, Chapter 13 Suspension and Expulsion of Children with Disabilities for Disciplinary Violations [found here](#). You will need to find the Discipline Matrix found on page 193 to assist you further.

Row 1. When a student is in Row 1, no services are required and no IEP meeting is required.

Professional judgment and consultation with your student's team will help you decide if there is a need for the IEP team to address behaviors through an IEP meeting and IEP team processes.

Row 2. When a student is in Row 2, services must be provided on the 11th day but no manifestation determination review is required.

Ultimately, the LEA determines if the series of suspensions/removals is considered a pattern of removals. The LEA and team can refer to page 195 of the KSDE Process Handbook ([found here](#)) for guidance on determining if the removals constitute a pattern. If there is not a pattern of removals, school officials would need to determine what services would take place on the 11th day or after.

Beginning on the 11th day of out-of-school suspension, a student with an IEP must be provided services that enable the child to 1) participate in the general curriculum and 2) progress toward meeting IEP goals.

- a. Provide parents with a Prior Written Notice (PWN) for the 11th day and beyond of services to be provided during OSS.
- b. Each subsequent suspension if total days are beyond 10 days must be provided a separate PWN.
- c. It is important to provide parents with their Procedural Safeguards which explains processes if parents disagree with any aspect of the disciplinary procedures.
- d. All 11th day and beyond services must be reported in Webkidss as a "U" setting but this is not considered an amendment. Please [see this document for guidance on reporting suspension/expulsion services in Webkidss](#).
 - i. All paperwork related to this must be turned in to the central office to be filed in Filebound

Row 3. When a student is in Row 3, a Manifestation Determination Review (MDR) is required.

In row 3, the school holds a manifestation determination review. The MDR is led by the school psychologist. Those in attendance should be the LEA representative, parent and relevant school team members.

Please review the following:

Legal presentation on Manifestations [found here.](#)

Powerpoint resource found [here on MDR](#)

Sample [MDR and guidance found here.](#)

Reporting Services during suspension guidance [found here](#)

The MDR form can be found in Webkidss under forms. It is important to provide parents with a copy of their Procedural Safeguards which explains processes should parents disagree with any of the disciplinary procedures and processes followed.

If the conduct in question was a manifestation of the student's disability or failure to implement the IEP, then the child cannot be subject to additional long-term removals. The team may agree to a change in placement.

If the conduct was not a manifestation of the student's disability, the **IEP team** must decide what services will look like during the suspension on the 11th day and beyond. No amendment will occur but the PWN must be provided for what services will be provided and must be reported in Webkidss. Please [see this document for guidance on reporting suspension/expulsion services in Webkidss.](#) All paperwork must be turned into the central office and be filed in Filebound.

A few things to remember:

There are specific steps to follow when school officials consider either a long-term suspension for more than 10 consecutive school days, an expulsion, or another short-term suspension that cumulates to more than 10 school days and shows a pattern constituting a change of placement (34 C.F.R. 300.530(d)(5),(e)).

- *On the date the decision is made to make a removal that constitutes a change of placement of a child with a disability the school must notify the parents of that decision, and provide the parents with a copy of the Parent Rights notice (K.S.A. 72-3433(d)(1).

- *On the 11th cumulative school day of removal resulting from disciplinary action, the school must begin providing appropriate special education and related services. Note that the determination of services needed as a result of a disciplinary change of placement is not made by the school officials as in the previous situations. Instead, the IEP team decides on these services and where they will be provided.

- *The school, the parent and relevant members of the child's IEP team (as determined by the parent and the school) must determine if the child's violation of the school's code of student conduct was a manifestation of his or her disability.

- *The school must provide parents with prior written notice of meeting before convening meetings regarding the manifestation determination and the services to be provided during disciplinary removals (K.A.R. 91-40-25). However, the school is required to give only 24 hours prior (written) notice of a meeting to the child's parents (K.A.R. 91-40-38(d)).

- *When a disciplinary change of placement occurs, the IEP team, including the parent, determines the special education and related services to be provided during the removal. However, parental consent for the disciplinary change in placement is not required. (K.A.R. 91-40-27(a)(3))

If the child's parents disagree with any decision regarding the disciplinary placement or the results of the manifestation determination, the parents may appeal the decision by requesting an expedited due process hearing. Additionally, if the school believes that maintaining the child's current placement is substantially likely to result in injury to the child or others, the school may request an expedited due process hearing. (K.S.A. 72-3434(a); 34 C.F.R. 300.532(a)) (See Letter to Huefner, OSEP, October 3, 2006 (47 IDELR 228) <https://www.ksde.org/Default.aspx?tabid=614>.) Please see pages 200-202 in KSDE Special Education Process Handbook [found here](#).

In this event, please communicate with your special education administrator.

Guidance Document for Students with Visual and Hearing Impairments

*For school psychologists, you are the main point of contact at an initial evaluation and/or students transferring in needing these services.

- If you have a student who may have a visual impairment or is hard of hearing, please reach out to your special education coordinator.
 - Your special education coordinator will point you in the right direction for the appropriate vision and hearing staff from our contracted provider.
- After administration consultation, the school psychologist will contact the appropriate vision and hearing staff.
- Discuss with the appropriate provider (audiologist, teacher of the visual impairment, or teacher of deaf or hard of hearing students, O&M teacher), to determine if they need to do any further evaluation or assessments and complete the appropriate paperwork as needed.
- The appropriate provider will be a part of the student's team, a part of the eligibility team, and involved in the development of the IEP, having access to the IEP system. They will provide information in the IEP, specifically in the health/physical section, communication (if deaf or hard of hearing), and in any other sections that are relevant.
- Each year, the team should review the IEP at the annual IEP meeting, involving all professionals that are on the IEP as service providers.

Special considerations for students who are visually impaired

From the KSDE Process Handbook, Chapter 4, Page 72:

“G. Braille (only for Children with Disabilities)

For a child who is blind or visually impaired, the IEP team must consider instruction in Braille. The use of Braille should be provided unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child. If Braille is to be taught as a method of accessing printed material, it is to be indicated in the IEP.

For these children, the IEP team must provide for instruction in Braille and the use of Braille—unless the team “determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.”

The IEP team will need to “provide for instruction in Braille and the use of Braille,” unless...

- The team determines that instruction in Braille or the use of Braille is not appropriate for the child. And the team can only determine that...
- ...after an evaluation of the child's reading and writing skills, needs an appropriate reading and writing media.

Such an evaluation also must include an evaluation of the child's future needs for instruction in Braille or the use of Braille.

The specific focus of this special consideration is on a child's need for **Braille** instruction. The IEP team must also consider other appropriate support and instruction to address a child's needs related to blindness or visual impairment. Having **accessible instructional materials** is essential. Some examples include enlarged print materials, audiotaped materials, math manipulatives, or NIMAS-formatted materials.

Obviously, considering this special factor involves doing so with great deliberation and after gathering the necessary data and evaluation information. Blindness and visual impairment can impact almost all areas related to a child's academic and non-academic participation in school and must be thoroughly understood by a child's IEP team. If it is determined that a student does not need Braille, the team must consider other ways to address the student's visual impairment. The Teacher of the Visually Impaired must be part of this team as they have the professional knowledge and expertise to guide teams through determining needs of students who are visually impaired.

What should the IEP team ensure they have addressed?

The IEP:

- *Provides information regarding the student's visual condition
- *Addresses the student's Braille/tactile needs.
- *Addresses the student's vision needs.
- *Describes the student's reading and writing medium
- *Addresses assistive technology and accommodations.

A Teacher of Students with Visual Impairments (TSVI) uses a comprehensive process to determine whether a student needs braille instruction. This evaluation involves multiple assessments and considerations to ensure that the student's unique visual needs are met.

Here are key steps in this determination process:

****Functional Vision Assessment (FVA):**** The TSVI conducts an FVA to understand how a student uses their remaining vision in various environments and for different tasks. This includes examining the student's ability to access printed material, their visual fatigue, and the need for adaptations like magnification or other low vision aids.

****Learning Media Assessment (LMA):**** The LMA is used to evaluate how the student currently learns best (visual, tactile, or auditory methods) and to determine the most appropriate learning media going forward. If the student shows difficulty accessing information visually, tactile learning through braille may be recommended.

****Current Academic Needs and Future Requirements:**** The TSVI considers the student's current and future academic needs. If a student is in the early stages of education, braille might be introduced proactively if there's a likelihood of vision loss progressing. For older students, braille might be introduced if visual fatigue becomes an issue or if there are limits to using print effectively.

****Rate of Learning:**** The speed and efficiency at which a student processes information visually are important factors. If reading large print or using magnification slows down their learning compared to their peers, braille may be considered as a more efficient alternative.

****Family and Student Input:**** Input from the student and family is considered. Some families and students may express a preference for braille if visual methods are too tiring or difficult to sustain, while others may prefer to continue with print-based methods.

****Long-Term Visual Prognosis:**** The TSVI may also consult with medical professionals to understand the long-term prognosis of the student's vision. If a degenerative condition is present, early braille instruction may be beneficial to ensure the student is prepared for future vision loss.

****Observations in Multiple Environments:**** The TSVI observes the student in various environments, including the classroom, home, and community settings, to assess how they function visually in day-to-day tasks. Braille may be recommended if visual demands in different environments become overwhelming.

****Collaboration with a Multidisciplinary Team:**** The decision to introduce braille is often made in collaboration with other professionals, such as occupational therapists, orientation and mobility specialists, and the student's classroom teachers, to get a holistic view of the student's needs. Based on these assessments and factors, the TSVI provides input to the IEP team when developing an individualized education plan (IEP) that specifies whether braille instruction is appropriate and outlines the goals and supports for the student's literacy development.

IEP teams should review this checklist: [Considering blindness and visual impairment](#)

*Special thanks to Nebraska Department of Education for developing a comprehensive resource for schools

Special considerations for students who are deaf or hard of hearing

From the KSDE Process Handbook, Chapter 4, Page 72:

“The communication needs of all students with exceptionalities must be considered on each IEP. Depending on whether the student is Deaf/Hard of Hearing or has other exceptionalities will impact which considerations must be made.

- For Children who are Deaf/Hard of Hearing (only for Children with Disabilities)
For a child who is deaf or hard of hearing, the IEP team must consider the child's language and communication needs, including the opportunity for direct communication with peers and professional personnel in the child's language and communication mode, as well as academic level, and full range of needs including opportunities for direct instruction in the child's language and communication mode. It is important that the school recognize that this consideration is not an administrative decision for only one particular type of sign language interpreting to be available, nor is it a parental decision based on parental choice. Instead, it is an IEP team decision based on the unique communication needs of each child. The school must provide the communication services that each child requires.”

In annually determining the communication needs of students identified with a hearing loss, the IEP team, which depending upon the severity of the student's disability, may or not include a TOD and/or Audiologist, will address the following considerations. The IEP team collects medical reports and other relevant data that includes criteria to address each consideration listed:

1. The Student's Preferred Mode of Communication: The IEP team will gather information on the student's primary communication mode at school and other settings.

2. Level of Hearing Loss: Students with profound or severe hearing loss, consideration will include whether a sign language interpreter is needed, while students with mild to moderate hearing loss, consideration will be given to other accommodations, such as assistive listening devices or speech reading.

3. Age, Language and Other Developmental Skills: The IEP team members will collect and review information on the student's language (receptive and expressive) and other developmental skills. Information will include the student's language acquisition and other developmental skills as compared to same age peers and whether the student's primary language (spoken/written) is other than English.

4. Educational Setting and Content: The IEP team will observe the student in a variety of educational settings where complex language is used (e.g., lectures, group discussions, technical subjects). In addition, the IEP team will gather input from the student, the teacher(s) and parents to determine the specific student needs to accessing the education program.

5. Student's Level of Independence and Advocacy Skills: The IEP team will collect information regarding the student's ability to communicate effectively through a variety of means. This might include such modes as written notes, captioning, speechreading, or electronic devices. The IEP team must also consider the student's preferences and level of self-advocacy.

6. Availability of Other Support Services: The IEP Team will evaluate whether appropriate accommodations are in place, such as captioning services, note-takers, FM system or other technology that supports hearing.

7. Family and Cultural Considerations: The family's preferred mode of communication and cultural background will be considered and whether the student is has been exposed or is fluent in sign language. For students from Deaf families or communities, sign language is likely to be their first language.

8. Social and Emotional Considerations: The IEP Team will consider the student's ability to engage with peers, participate in group activities, and feel socially included. The IEP will determine whether the student is isolated due to communication barriers and whether a sign language interpreter would remove such barriers.

Team members must consider the child's:

- language and communication needs;
- opportunities for direct communications with peers and professional personnel in the child's language and communication mode; academic level; and
- full range of needs, including opportunities for direct instruction in the child's language and communication mode.

It's important to note that, **regardless** of a child's disability, IEP teams must consider a child's communication needs. In determining the child's communication needs, the IEP team might ask:

- What communicative demands and opportunities does the child have?
- Does the child have the skills and strategies necessary to meet those communicative demands and take advantage of communicative opportunities?
- Can the child fulfill his or her need to communicate in different settings?
- Does the child communicate appropriately and effectively, and if not, why not? How would the deficit in communication be described?

Considering a Child's Communication needs:

If the IEP team determines that the child has communication needs, then the team will need to address these in the IEP, including (as appropriate) through the statement of annual goals, provision of special education and related services, supplementary aids and services, which includes assistive technology, or other relevant instruction, services, and supports.

Considering the many elements included in this special factor will no doubt engage the IEP team in substantial discussion. The following may be helpful in framing and/or informing those discussions.

Interpreting services:

IEP teams may find it useful to examine the definition of **interpreting services** to determine how the communication needs of children who are deaf or hearing impaired can be addressed. Interpreting services are listed in IDEA as a "related service" and, when used with respect to children who are deaf or hard of hearing. As a related service, then, these interpreting services may be made available to the child, **if** the IEP team determines that he or she needs the service in order to benefit from special education. The teacher of the deaf/hard of hearing will guide the team, utilizing data and information collected, when determining the appropriateness of interpreter services.

How Do We Know We Are Doing It Right?

The communication plan:

- ☐ Is addressed by all members of the IEP Team.
- ☐ Is completed during the IEP meeting.
- ☐ Provides information regarding the student's mode of communication.
- ☐ Addresses the student's language needs.
- ☐ Addresses the student's communication needs.
- ☐ Addresses the student's academic level.
- ☐ Addresses the student's full range of needs.
- ☐ Describes opportunities for direct communication with peers and professionals.
- ☐ Describes opportunities for direct instruction in the child's language and communication mode.
- ☐ Incorporates all of this information into the development of the IEP.

Request for ABA Therapy Access in Schools

All requests from parents/legal guardians should be considered on a case-by-case basis. Please review the [State of Kansas Memorandum on the next page](#) for considering parent requests as it relates to requests for ABA therapy access in schools. As you work through this on an individual basis, please work closely with your building principal and special education administrator to ensure all processes and procedures are followed under IDEA or Section 504 and ADA if applicable.

Please see guidance from recent trainings here: [Responding to requests for ABA Therapy](#)



900 S.W. Jackson Street, Suite 102
Topeka, Kansas 66612-1212
(785) 296-3201
www.ksde.gov

State of Kansas Memorandum

To: District Superintendents
District Special Education Directors

From: Dr. Randy Watson, Kansas Commissioner of Education

Date: November 24, 2025

Re: Case-by-Case Consideration of Applied Behavior Analysis (ABA) Therapy
Access in Schools

Many Kansas families recount facing challenges accessing ABA therapy within schools. This challenge highlights the need for strong parent and educator partnerships. By working together, we can ensure that every student receives the opportunity to thrive and reach their full potential.

This memorandum seeks to provide districts clarity on the standard for reviewing requests for the provision of medically necessary ABA therapy for students with autism spectrum disorder (ASD) within school settings as prescribed by the student's qualified healthcare provider. As you are aware, the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act place a legal requirement on public schools to accommodate the special needs of students with disabilities, which includes those diagnosed with ASD.

Accommodation requests under the ADA or Section 504 must be reviewed individually and on a case-by-case basis. This includes requests for students with ASD to access medically necessary behavioral health treatment in school as prescribed by a qualified healthcare provider. A categorical denial of such a request for accommodation may put a district at risk of allegations of failing to comply with the ADA and Section 504 mandates.

ABA therapy is a recognized behavioral health treatment for students diagnosed with ASD, and for some students, receiving such treatment in the school environment may be necessary for the student's therapeutic plan. In Kansas, funding for these healthcare services in all medically necessary settings, including school, may be available through commercial insurance and Medicaid. Any denial of a request for an accommodation to allow for the

Adopted 3/6/2024; Amended 2/3/2026

delivery of ABA services in the school setting without a comprehensive, individualized review of the request may violate your obligations under federal law.

STATE OF KANSAS MEMORANDUM | CASE-BY-CASE CONSIDERATION OF APPLIED BEHAVIOR ANALYSIS (ABA) THERAPY ACCESS IN SCHOOLS

Kansas leads the world in the success of each student.

Nov. 24, 2025

To uphold our commitment to an accessible educational environment, KSDE recommends the following actions:

1. **Review Current Policies:** Ensure that any existing district policies align with the requirement to review ABA therapy requests on a case-by-case basis.
2. **Engage in the Interactive Process:** Work collaboratively with students, parents, guardians, and healthcare providers to determine appropriate accommodations requested under Section 504 or ADA. Consistent with the procedural and other requirements of the regulation implementing Section 504, at 34 C.F.R. §§ 104.34, 104.35, and 104.36:
 - a. For each student identified as eligible to receive special education and/or related services, the local educational agency (LEA) will assess whether available information indicates that the student's educational program meets the student's individual educational needs. If appropriate, the LEA will convene a group of persons knowledgeable about the student, making all reasonable efforts to include the parent/guardian, to determine if the student requires a change in placement or additional or different related services, including LEA-provided therapy services, to ensure the provision of a free appropriate public education (FAPE).
 - b. For each student not previously or currently identified as eligible to receive special education and/or related services, the LEA will assess whether available information indicates that the student may need special education and/or related services, including LEA-provided therapy services, due to a disability. If appropriate, the LEA will convene a group of persons knowledgeable about the student, making all reasonable efforts to include the parent/guardian, to evaluate the Student to determine eligibility and, if relevant, appropriate placement and related services for the student.
3. **Document Decisions:** Keep detailed records of the evaluation process for each request to ensure that decisions are made based on the student's individual needs and are well-documented.

In such circumstances, the school should continue working through the interactive process with the student's parents or guardians to determine if other accommodations or modifications are necessary for the student to safely and meaningfully access the school's programs, services, and activities to the same extent as non-disabled students.

For further guidance or assistance, please contact:

Brian Dempsey, Assistant Director, Special Education and Title Services (brian.dempsey@ksde.gov)
(785) 296-5522)