



SPECIAL EDUCATION ADVISORY COUNCIL MINUTES



Details

Date January 24, 2023

Time 9:00 a.m. – 3:00 p.m.

Location: Landon State Office Building and Zoom

Call to Order: at 9:15 am

Roll Call

Members (x present in person, z present on Zoom, blank absent):

	Jose Cornejo		Jessica Lopez	x	Roxanne Zillinger
x	Brandon Gay	x	Marvin Miller		Open
x	Whitney George	x	Brooke Moore		Open
x	Lindsey Graf	x	Troy Pitsch		Open
x	Jennifer King		Charity Porter		Open
x	Lena Kisner		Chris Reffett		
x	Jennifer Kucinski		Sabrina Rishel	x	.., Interpreter
	Jennifer Kurth		Rebecca Shultz	x	... Interpreter

Ex-Officio Members (x present, blank absent):

x	Luann Barron	x	Jon Harding		
	Mike Burgess	x	Jim McNiece		
x	Ashley Enz	x	Idalia Shuman		
x	Leslie Girard				

KSDE Staff:

	Stacy Clark	x	Bert Moore		Cary Rogers
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x	Brian Dempsey	x	Deborah Newby		Dean Zajic
	Crista Grimwood	x	Alysha Nichols	x	Joyce Broils
	Kerry Haag		Ashley Niedzwiecki	x	Trish Backman

Guests:

Quorum (9) met: __Yes_, _10_ Voting members present

Agenda Approval: **January 24, 2024**

Motion to approve: Lindsey Graf

Second: Brooke Moore

Action: Approved 9-0

Minutes Approval: **November 30, 2023**

Motion to approve: Lena Kisner

Second: Brooke Moore

Action: Approved 10-0

Public Comment:

No written comments were submitted for today's meeting. No in person comments were presented.

SICC/SEAC Collaboration Recap

Bert Moore and Marvin Miller

- The previous meeting that was cancelled on January 9, 2024, has not yet been rescheduled
- Jennifer King has joined the Kansas Interagency Coordinating Council (SICC) as an ex-officio member
- Next SICC meeting is February 16, 2024

SPP/APR

Brian Dempsey

- Annual review of our Annual Performance Report (APR)
 - Report is due to the Office of Special Education Programs (OSEP) February 1, 2024
- State Performance Plan (SPP)/ Annual Performance Report (APR) Indicators for Federal Fiscal Year (FFY) 2022. Coincides with the 2021-2022 school year.
 - There are a few indicators that use lag data. This is data that is turned in after the SPP/APR is due, so therefore it is from school year 2020-2021.
 - Indicator 1 Graduation
 - Uses lag data
 - Indicator 2 Drop Out
 - Uses lag data
 - Indicator 3A Participation for Students with IEPs (Individual Education Plans)
 - Indicator 3B Proficiency for Students with IEPs (Grade level Academic

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- Achievement Standards)
 - Indicator 3C Proficiency for Students with IEPs (Alternate Academic Achievement Standards)
 - Indicator 3D Gap in Proficiency Rates (Grade Level Academic Achievement Standards)
 - Indicator 4A Suspension and Expulsion
 - Indicator 4B Suspension and Expulsion by Race/Ethnicity
 - Indicator 5 Education Environments (5-year-old kindergarteners to age 21)
 - Indicator 6 Preschool Environments
 - Indicator 7 Preschool Outcomes
 - Indicator 8 Parent Involvement
 - Indicator 9 Disproportionate Representation
 - Indicator 10 Disproportionate Representation in Specific Disability Categories
 - Indicator 11 Child Find
 - Indicator 12 Early Childhood Transition
 - Indicator 13 Secondary Transition
 - Indicator 14 Post-School Outcomes
 - Indicator 15 Resolution Sessions
 - Indicator 16 Mediation
 - Indicator 17 State Systemic Improvement Plan
- Kansas Performance on the Federal Fiscal Year 2022 SPP/APR
 - Indicator 1 Graduation
 - Baseline Year FFY 2020
 - Met Target
 - Targets are set each package. This package refers to FFY 2020-2025. The beginning of the Baseline is where you start for that package. You must finish better than that. It is okay to go up or down in between those years.
 - Targets are identified by looking at historical performance data of that target, using that data to form trend lines, and input from partners in the field
 - Targets must be reasonable and achievable but also robust
 - If the data has gone 1% under the target, that is not considered to be slippage
 - If there is more than a 1% drop between the target and the current data, a slippage statement must be made. This is a statement identifying the root cause of the slippage and any possible remediation
 - No slippage
 - Indicator 2 Drop Out
 - Baseline Year FFY 2021
 - Met target
 - No slippage
 - Indicator 3A Participation for Students with IEPs
 - Baseline Year FFY 2020
 - Data to be uploaded January 25, 2024
 - Indicator 3B Proficiency for Students with IEPs (Grade level Academic

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- Achievement Standards)
 - Baseline Year FFY 2020
 - Data to be uploaded January 25, 2024
- Indicator 3C Proficiency for Students with IEPs (Alternate Academic Achievement Standards)
 - Baseline Year FFY 2020
 - Data to be uploaded January 25, 2024
- Indicator 3D Gap in Proficiency Rates (Grade Level Academic Achievement Standards)
 - Baseline Year FFY 2020
 - Data to be uploaded January 25, 2024.
- Indicator 4A Suspension and Expulsion
 - Baseline Year FFY 2022
 - Not Available
- Indicator 4B Suspension and Expulsion by Race/Ethnicity
 - Baseline Year FFY 2022
 - Compliance
- Indicator 5 Education Environment (5-year-old kindergartners to age 21)
 - Baseline Year FFY 2019
 - Baseline years that are further back are allowed because the methodology or the data source did not change. If they have not changed, the indicators are measured the same on each future package until the data source or methodology does change
 - Met Target for 5A and 5B, did not meet target for 5C
 - No slippage for 5A and 5B, and slippage for 5C
- Indicator 6 Preschool Environments
 - Baseline Year FFY 2019 for 6A and 6B, Federal Fiscal Year 2020 for 6C
 - Met all targets
 - No slippage
- Indicator 7 Preschool Outcomes
 - Baseline Year FFY 2008
 - Met target for 7B1
 - Did not meet targets for 7A, 7B2, and 7C
 - No slippage
- Indicator 8 Parent Involvement
 - Baseline Year FFY 2021
 - Met target
 - No slippage
- Indicator 9 Disproportionate Representation
 - Baseline Year FFY 2020
 - Did not meet target (compliance)
 - Compliance indicators are set at 100%
 - No slippage
- Indicator 10 Disproportionate Representation in Specific Disability Categories
 - Baseline Year FFY 2020
 - Did not meet target (compliance)

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- No slippage
- Indicator 11 Child Find
 - Baseline Year FFY 2005
 - Did not meet target (compliance)
 - No slippage
- Indicator 12 Early Childhood Transition
 - Baseline Year FFY 2005
 - Did not meet target (compliance)
 - No slippage
- Indicator 13 Secondary Transition
 - Baseline Year FFY 2009
 - Did not meet target (compliance)
 - No slippage
- Indicator 14 Post-School Outcomes
 - Baseline Year FFY 2009
 - Did not meet target
 - No slippage for 14B and slippage for 14A and 14C
- Indicator 15 Resolution Sessions
 - Baseline Year FFY 2005
 - Did not meet target
 - No slippage
- Indicator 16 Mediation
 - Baseline Year FFY 2013
 - Did not meet target
 - Slippage
- Indicator 17 State Systemic Improvement Plan
 - Baseline Year FFY 2021
 - Did not meet target
 - No slippage
- Slippage Statements
 - Indicator 5C Education Environments (in separate schools, residential facilities, or homebound/hospital placements)
 - FFY 21 Data was 2.10%
 - FFY 22 Target was 2.18%
 - FFY 22 Data is 2.21%
 - Slippage Statement: An examination of state-level data for Indicator 5C identified 1,603 students served in separate schools, residential facilities, or homebound hospital placements. This is an increase of 121 students, or 0.11%, above the FFY 2021 data and 0.03% above the state's FFY 2022 target
 - Slippage is attributable to an increase of 156 students being served in separate schools. One district, the largest Local Education Agency (LEA) in the state, accounts for 98 of the net increase of 156 students in this category. The remainder of the net increase is spread across all other LEA's.
 - Indicator 14A Post-school Outcomes (enrolled in higher education within one year of leaving high school)
 - FFY 21 Data was 26.84%

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- FFY 22 Target was 45.00%
- FFY 22 Data is 22.71%
- Slippage Statement: An examination of state-level data suggests that slippage may be attributed to an increase of nearly 5% response rate and an increase of more than 252% in the targeted universe due to a change in methodology from a sample to a census. Additionally, based on National Clearinghouse data for all students in Kansas, all cohorts are demonstrating declining participation rates in postsecondary education
- Indicator 14C Postschool Outcomes (Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school)
 - FFY 21 Data was 69.62%
 - FFY 22 Target was 81.09%
 - FFY 22 Data is 67.75%
 - Slippage Statement: An examination of state-level data suggests that slippage may be attributed to an increase of nearly 5% response rate and the increase of more than 252% in the targeted universe due to a change in methodology from a sample to a census. Additionally, based on National Clearinghouse data for all students in Kansas, all cohorts are demonstrating declining participation rates in postsecondary education
- Indicator 16 Mediation
 - FFY 21 Data was 57.14%
 - FFY 22 Target was 77.0-80.0%
 - FFY 22 Data is 54.55%
 - 6 mediation agreements from 11 mediations held
 - Slippage Statement: The state attributes slippage to annual changes in mediations held
- Indicator 3
 - Not final until tomorrow
 - Current data shows
 - 3B target not met but no slippage
 - 3C target not met, there was slippage
 - For Indicator 3C, middle school students (8th grade)
 - Potential slippage statement: An analysis of the data suggests that this group of students who entered middle school in the height of the pandemic may not have had intensive supports and detailed instruction while instructed in virtual settings during the COVID-19 pandemic. Students taking the alternate assessment have the most comprehensive needs, so the suspension of or inconsistency in in-person instruction during those two years of middle school may have impacted these students. The impact may be more stark for those students with cognitive impairments and more comprehensive needs, which is why proficiency rates for 8th grade students show slippage in reading and math alt assessments.
 - 3D targets not met, there was slippage

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- Reading slippage in 4th grade
 - Potential slippage statement: For Group A, Grade 4: To determine possible reasons for slippage, the state looked at various data points, among which the statewide chronic absenteeism data stood out. The state recognizes that students not attending school consistently across a school year will mean they are not regularly receiving instruction on the grade level standards upon which they will be assessed. Accordingly, there is an indication that the higher rates of chronic absenteeism may be linked and/or contribute to lower proficiency rates. The state observed a decrease in proficiency rates for students with disabilities on math statewide assessments for 4th grade and an increase in proficiency rates for all students, thus increasing the gap between the two groups. An analysis of the data suggests chronic absenteeism may have influenced the gap in proficiency between students with disabilities and all students. The chronic absenteeism for 4th graders with disabilities was 27% for the 2022-2023 school year, where the chronic absenteeism for all 4th graders was 20%.
 - Potential slippage statement for Group B, Grade 8: To determine possible reasons for slippage, the state looked at various data points, among which the statewide chronic absenteeism data stood out. The state recognizes that students not attending school consistently across a school year will mean they are not regularly receiving instruction on the grade level standards upon which they will be assessed. Accordingly, there is an indication that the higher rates of chronic absenteeism may be linked and/or contribute to lower proficiency rates. The state observed a minor increase in proficiency rates for students with disabilities on the math statewide assessments for 8th grade and a more substantial increase in proficiency rates for all students, thus contributing to the gap between the two groups. An analysis of the data suggests chronic absenteeism may have influenced the gap in proficiency between students with disabilities and all students. The chronic absenteeism for 8th graders with disabilities was 34% for the 2022-2023 school year, where the chronic absenteeism for all 8th graders was 27%.
 - Therefore, it is believed that chronic absenteeism is affecting the proficiency of students
 - Chronic absenteeism refers to a student who misses 10% or more of their school year (approx. 2 days a month or more)
 - Indicator 3 is not finalized until January 25, 2024
- Comments
 - Marvin Miller: With the increase in emergency substitutes, who are not fully trained, is that considered
 - Brian Dempsey: yes, that is a data point that was looked at with Teacher Licensure
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- Office of Special Education Programs (OSEP) Required Actions: Compliance Indicators (all)
 - These are from last year's required actions.
 - Responses are standardized
 - Because the State reported less than 100% compliance for FFY 2021, the State must report on the status of correction of noncompliance identified in FFY 2021 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2022 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2021 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2022 SPP/APR, the State must describe the specific actions that were taken to verify the correction.
 - If the State did not identify any findings of noncompliance in FFY 2021, although its FFY 2021 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2021.
- Kansas State Department of Education (KSDE) Response to Required Actions: Compliance Indicators
 - KSDE has verified that each district with noncompliance identified in FFY 2021 is correctly implementing the regulatory requirements through the correction of noncompliance process of conducting a root cause analysis, correction of each individual case of identified noncompliance and subsequent review of updated student file data. Data are collected through the State data system and each district has achieved 100% compliance as per OSEP QA 23-01.
- OSEP Required Action: Indicator 4
 - Indicator 4A: The State did not provide valid and reliable data for FFY 2021. The State must provide valid and reliable data for FFY 2022 in the FFY 2022 SPP/APR using a methodology that meets one of the two comparison methods as required by 34 C.F.R. § 300.170(a) and the Measurement Table.
 - Indicator 4B: In the FFY 2022 SPP/APR, the State must provide data for this indicator for FFY 2022 using a methodology that meets one of the two comparison methods as required by 34 C.F.R. § 300.170(a) and the Measurement Table.
- KSDE Response to OSEP Required Action: Indicator 4
 - Indicator 4A: OSEP could not determine if the state's FFY2021 indicator 4a data were valid and reliable. In response, the KSDE has provided valid and reliable data in this FFY 2022 SPP/APR using a methodology that meets one of the two comparison methods as required by 34 C.F.R. § 300.170(a) and the Measurement Table. Specifically, the chosen methodology is calculated using the rates of suspensions and expulsions for children with IEPs among LEAs within the State.
 - Indicator 4B: In FFY2021 OSEP determined the state's chosen methodology for indicator 4b calculation was unclear. In response, the KSDE has provided valid and reliable data in this FFY 2022 SPP/APR using a methodology that meets one of the two comparison methods as required by 34 C.F.R. § 300.170(a) and the Measurement Table. Specifically, the chosen 4b methodology is calculated using

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the rates of suspensions and expulsions for children with IEPs among LEAs within the State by race and/or ethnicity. As such, the data reported under Indicator 4b are valid and reliable.

- Indicator 4A Proposed Targets
 - As a result of the change of methodology, the state may set a new baseline and targets
 - Baseline year is FFY 22, and baseline data is 4.51%
 - Ensure FFY 25 target is an improvement over the baseline
 - Proposed Targets for the remainder of the FFY 2020-25 package
 - FFY 22 is 4.51%
 - FFY 23 is 4.51%
 - FFY 24 is 4.51%
 - FFY 25 is 4.14%

Statewide IEP

Brian Dempsey

- Survey Results
 - 113 responses
 - Most (36.3%) came from Parents
 - Next largest population to answer was Special Education teachers (19.5%)
 - Currently a majority of respondents support a statewide IEP
 - Least Likely to support – 1 vote or 0.9%
 - Less likely to support – 7 votes or 6.2%
 - A little more likely to support – 21 votes or 18.6%
 - More likely to support – 28 votes or 24.8%
 - Most likely to support - 56 votes or 49.6%

Open Borders

Brian Dempsey

Bert Moore

- Open Borders starts the next school year 2024-2025
- Districts must approve their policies in January and must identify their capacities by the end of May
- For Special Education, the largest concern remains transportation
 - KSDE is not providing guidance on this at this time
- For capacity it is recommended that districts
 - Identify capacity for individual grades from kindergarten to 8th grade in each elementary building
 - High schools by total number of students grade 9-12 per building
- Many logistic issues
 - How many desks will be needed
 - How many additional staff members if any
 - Budget has been set before enrollment begins in July
 - Who pays for special services such as attendance at KSSD or KSSB
 - How will this affect smaller districts that have a short commute to larger districts

Special Education and Virtual Schools

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Lena Kisner
Marvin Miller

- 2016
 - Number of students reported in virtual programs on September 20th – 11,479
 - Number of IDEA students in virtual programs December 1st – 562
 - Number of students reported in virtual programs on the End of Year Report – 9,760
 - Number of IDEA students in virtual programs at the end of the year – 607
- 2017
 - Number of students reported in virtual programs on September 20th -11,369
 - Number of IDEA students in virtual programs December 1st – 604
 - Number of students reported in virtual programs on the End of Year Report – 10,011
 - Number of IDEA students in virtual programs at the end of the year - 695
- 2018
 - Number of students reported in virtual programs on September 20th -11,548
 - Number of IDEA students in virtual programs December 1st – 629
 - Number of students reported in virtual programs on the End of Year Report – 9,517
 - Number of IDEA students in virtual programs at the end of the year - 690
- 2019
 - Number of students reported in virtual programs on September 20th -11,614
 - Number of IDEA students in virtual programs December 1st – 661
 - Number of students reported in virtual programs on the End of Year Report – 9,505
 - Number of IDEA students in virtual programs at the end of the year - 701
- 2020
 - Number of students reported in virtual programs on September 20th – 11,284
 - Number of IDEA students in virtual programs December 1st – 655
 - Number of students reported in virtual programs on the End of Year Report – 9,706
 - Number of IDEA students in virtual programs at the end of the year – 782
- 2021
 - Number of students reported in virtual programs on September 20th – 15,614
 - Number of IDEA students in virtual programs December 1st – 1,240
 - Number of students reported in virtual programs on the End of Year Report – 14,613
 - Number of IDEA students in virtual programs at the end of the year – 1,362
- 2022
 - Number of students reported in virtual programs on September 20th- 15,115
 - Number of IDEA students in virtual programs December 1st – 1,222
 - Number of students reported in virtual programs on the End of Year Report – 14,888
 - Number of IDEA students in virtual programs at the end of the year – 1,437
- 2023
 - Number of students reported in virtual programs on September 20th – 14,791
 - Number of IDEA students in virtual programs December 1st – 1,165
 - Number of students reported in virtual programs on the End of Year Report – 14,895
 - Number of IDEA students in virtual programs at the end of the year -1,574
- Growth in virtual programs has been large in a very short period of time
 - Harder to provide services to special education students with IEPs virtually
 - Services such as speech, occupational therapy, and physical therapy are usually provided in-person

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- Communication is difficult
 - Not all virtual programs are the same
 - Some schools provide their own while others contract out
 - Records requests are time consuming and largely unanswered for periods of time
- Scheduling evaluations and IEP meetings is more difficult
- Verification
 - How to verify attendance
 - How to verify course work and accommodations
- Funding is calculated differently

Emergency Safety Intervention Report

Trish Backman

- Most recent update – May 2023
 - It's the law K.A.R. 91-42-1
 - Kansas Administrative Regulation
 - Standards of use (K.A.R. 91-42-2)
 - District policy, training, dispute resolution (K.A.R. 91-42-3)
 - Parent notification, meetings and complaints (K.A.R. 91-42-4)
 - Administrative review (K.A.R. 91-42-5)
 - Exemptions (K.A.R. 91-42-6)
 - Reporting (K.A.R. 91-42-7)
 - Emergency Safety Intervention (ESI) Requirements Checklist
 - ESI Standards of Use
- ESI Emergency Safety Interventions
 - An emergency safety intervention is the use of seclusion or physical restraint. The use of an emergency safety intervention shall cease as soon as the immediate danger of physical harm and violent action ceases to exist. Emergency safety intervention law sets forth standards for the use of restraint and seclusion to ensure that all Kansas students and staff have a safe learning environment. The standards found in the emergency safety intervention statutes and regulations are required to be followed in all Kansas public school districts and accredited private schools
 - Restraint
 - Physical engagement
 - Student emergency resolves
 - Physical disengagement
 - Seclusion
 - Removed
 - Not engaged in instruction
 - Do they believe they could leave?
- Restraint
 - Total number of incidents of restraint reported: 7291
 - Average duration of restraint: 1.0 minutes
 - Average age of student receiving restraint: 9.0
 - Descriptive statistics based on school data
 - Number of schools included: 1477

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- Median number of physical restraint incidents 1.0
 - Standard deviation of number of physical restraint incidents 0.414
 - Median duration of physical restraint incident 1.0
 - Standard deviation of duration of physical restraint incident 3.554
- Seclusion
 - Total number of incidents of seclusion reported: 8283
 - Average Duration of seclusion: 5.0 minutes
 - Average age of student receiving seclusion: 8.0
 - Descriptive statistics based on school data
 - Number of schools included 1477
 - Median number of seclusion incidents 1.0
 - Standard deviation of number of seclusion incidents 0.413
 - Median duration of seclusion incident 4.0
 - Standard deviation of duration of seclusion incident 17.821
- Seclusion and Restraint Reports – with an IEP or 504
 - The number of incidents in which ESI was used on students who have an IEP
 - Number of physical restraint incidents with students with an IEP – 7143
 - Number of seclusion incidents with students with an IEP – 7883
 - Number of ESI incidents with students with an IEP – 15026
 - The number of incidents in which ESI was used on students who have a 504 plan
 - Number of physical restraint incidents with students with a Section 504 plan – 61
 - Number of seclusion incidents with students with a Section 504 plan – 100
 - Number of ESI incidents with students with a Section 504 plan – 161
- Seclusion and Restraints – Non-Identified and total overall
 - The number of incidents in which ESI was used on students who do not have an IEP or Section 504 plan
 - Number of physical restraint incidents with students without an IEP or 504 plan – 948
 - Number of seclusion incidents with students without an IEP or 504 plan – 598
 - Number of ESI incidents with students without an IEP or 504 plan – 1546
 - The total number of incidents in which ESI was used on students
 - Number of physical restraint incidents – 8135
 - Number of seclusion incidents – 8524
 - Number of ESI incidents – 16659
- Students who had a Behavior Intervention Plan
 - The total number of students with behavior intervention plans (BIP) subjected to ESI
 - Number of students with a BIP physically restrained – 993
 - Number of students with a BIP placed in seclusion – 860
 - Number of students with a BIP which an ESI was used – 1359
 - The number of students physically restrained = 1673
 - The number of students placed in seclusion = 1189
- Maximums
 - Maximum number of physical restraint incidents with a student – 186
 - Maximum number of seclusion incidents with a student – 225
 - Maximum number of ESI incidents with a student – 225

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- By Ethnicity
 - The number of incidents in which ESI was used on students who have an IEP aggregated by ethnicity
 - Hispanic/Latino
 - Number of physical restraint incidents with students with an IEP – 728
 - Number of seclusion incidents with students with an IEP – 450
 - Number of ESI incidents with students with an IEP - 1178
 - Multi-Ethnic
 - Number of physical restraint incidents with students with an IEP – 733
 - Number of seclusion incidents with students with an IEP – 957
 - Number of ESI incidents with students with an IEP - 1690
 - American Indian or Alaska Native
 - Number of physical restraint incidents with students with an IEP – 23
 - Number of seclusion incidents with students with an IEP – 14
 - Number of ESI incidents with students with an IEP – 37
 - Asian
 - Number of physical restraint incidents with students with an IEP – 43
 - Number of seclusion incidents with students with an IEP – 39
 - Number of ESI incidents with students with an IEP - 82
 - Black or African American
 - Number of physical restraint incidents with students with an IEP – 1186
 - Number of seclusion incidents with students with an IEP – 1062
 - Number of ESI incidents with students with an IEP - 2248
 - Native Hawaiian or Other Pacific Islander
 - Number of physical restraint incidents with students with an IEP – 0
 - Number of seclusion incidents with students with an IEP – 0
 - Number of ESI incidents with students with an IEP - 0
 - White
 - Number of physical restraint incidents with students with an IEP – 4293
 - Number of seclusion incidents with students with an IEP – 5126
 - Number of ESI incidents with students with an IEP – 9419
- By Ethnicity
 - The number of incidents in which ESI was used on students who have a Section 504 plan aggregated by ethnicity
 - Hispanic/Latino
 - Number of physical restraint incidents with students with a 504 plan – 17
 - Number of seclusion incidents with students with a 504 plan – 4
 - Number of ESI incidents with students with a 504 plan - 21
 - Multi-Ethnic
 - Number of physical restraint incidents with students with a 504 plan – 6
 - Number of seclusion incidents with students with a 504 plan – 8
 - Number of ESI incidents with students with a 504 plan - 14
 - American Indian or Alaska Native
 - Number of physical restraint incidents with students with a 504 plan – 0
 - Number of seclusion incidents with students with a 504 plan – 0
 - Number of ESI incidents with students with a 504 plan - 0

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- Asian
 - Number of physical restraint incidents with students with a 504 plan – 0
 - Number of seclusion incidents with students with a 504 plan an IEP – 0
 - Number of ESI incidents with students with a 504 plan - 0
- Black or African American
 - Number of physical restraint incidents with students with a 504 plan – 4
 - Number of seclusion incidents with students with a 504 plan – 9
 - Number of ESI incidents with students with an IEP - 13
- Native Hawaiian or Other Pacific Islander
 - Number of physical restraint incidents with students with a 504 plan – 0
 - Number of seclusion incidents with students with a 504 plan – 1
 - Number of ESI incidents with students with a 504 plan - 1
- White
 - Number of physical restraint incidents with students with a 504 plan – 34
 - Number of seclusion incidents with students with a 504 plan – 78
 - Number of ESI incidents with students with a 504 plan - 112
- By Ethnicity
 - The number of students in which ESI was used on students who do not have an IEP, or a Section 504 plan aggregated by ethnicity
 - Hispanic/Latino
 - Number of physical restraint incidents with students with no IEP or 504 plan – 173
 - Number of seclusion incidents with students with no IEP or 504 plan – 67
 - Number of ESI incidents with students with no IEP or 504 plan - 240
 - Multi-Ethnic
 - Number of physical restraint incidents with students with no IEP or 504 plan – 92
 - Number of seclusion incidents with students with no IEP or 504 plan – 92
 - Number of ESI incidents with students with no IEP or 504 plan - 184
 - American Indian or Alaska Native
 - Number of physical restraint incidents with students with no IEP or 504 plan – 3
 - Number of seclusion incidents with students with no IEP or 504 plan – 2
 - Number of ESI incidents with students with no IEP or 504 plan - 5
 - Asian
 - Number of physical restraint incidents with students with no IEP or 504 plan – 3
 - Number of seclusion incidents with students with no IEP or 504 plan – 0
 - Number of ESI incidents with students with no IEP or 504 plan - 3
 - Black or African American
 - Number of physical restraint incidents with students with no IEP or 504 plan – 231
 - Number of seclusion incidents with students with no IEP or 504 plan – 74
 - Number of ESI incidents with students with no IEP or 504 plan - 305
 - Native Hawaiian or Other Pacific Islander
 - Number of physical restraint incidents with students with no IEP or 504 plan – 0
 - Number of seclusion incidents with students with no IEP or 504 plan – 1
 - Number of ESI incidents with students with no IEP or 504 plan - 1
 - White
 - Number of physical restraint incidents with students with no IEP or 504 plan – 432
 - Number of seclusion incidents with students with no IEP or 504 plan – 352

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- Number of ESI incidents with students with no IEP or 504 plan - 784
- By Ethnicity
 - The total number of incidents in which ESI was used on students aggregated by ethnicity
 - Hispanic/Latino
 - Number of physical restraint incidents – 918
 - Number of seclusion incidents – 517
 - Number of ESI incidents – 1435
 - Multi-Ethnic
 - Number of physical restraint incidents– 829
 - Number of seclusion incidents– 1054
 - Number of ESI incidents– 1883
 - American Indian or Alaska Native
 - Number of physical restraint incidents– 26
 - Number of seclusion incidents– 16
 - Number of ESI incidents– 42
 - Asian
 - Number of physical restraint incidents– 46
 - Number of seclusion incidents– 39
 - Number of ESI incidents– 85
 - Black or African American
 - Number of physical restraint incidents– 1419
 - Number of seclusion incidents– 1137
 - Number of ESI incidents – 2556
 - Native Hawaiian or Other Pacific Islander
 - Number of physical restraint incidents– 0
 - Number of seclusion incidents– 2
 - Number of ESI incidents– 2
 - White
 - Number of physical restraint incidents– 4746
 - Number of seclusion incidents– 5514
 - Number of ESI incidents– 10260
- By Gender with an IEP
 - The number of incidents in which ESI was used on students who have an IEP aggregated by gender
 - Male
 - Number of physical restraint incidents with students with an IEP – 5846
 - Number of seclusion incidents with students with an IEP – 6783
 - Number of ESI incidents with students with an IEP – 12629
 - Female
 - Number of physical restraint incidents with students with an IEP – 1297
 - Number of seclusion incidents with students with an IEP – 1100
 - Number of ESI incidents with students with an IEP – 2397
- By Gender with a Section 504 plan
 - The number of incidents in which ESI was used on students who have a Section 504 plan aggregated by gender

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- Male
 - Number of physical restraint incidents with students with a 504 plan – 47
 - Number of seclusion incidents with students with a 504 plan – 94
 - Number of ESI incidents with students with a 504 plan – 141
 - Female
 - Number of physical restraint incidents with students with a 504 plan – 14
 - Number of seclusion incidents with students with a 504 plan – 6
 - Number of ESI incidents with students with a 504 plan – 20
- By Gender without an IEP or Section 504 plan
 - The number of incidents in which ESI was used on students who do not have an IEP or Section 504 plan aggregated by gender
 - Male
 - Number of physical restraint incidents with students without an IEP or Section 504 plan – 636
 - Number of seclusion incidents with students without an IEP or Section 504 plan – 457
 - Number of ESI incidents with students without an IEP or Section 504 plan – 1093
 - Female
 - Number of physical restraint incidents with students without an IEP or Section 504 plan – 312
 - Number of seclusion incidents with students without an IEP or Section 504 plan – 141
 - Number of ESI incidents with students without an IEP or Section 504 plan – 453
- Totals Overall by Gender
 - The total number of incidents in which ESI was used on students aggregated by gender
 - Male
 - Number of physical restraint incidents– 6512
 - Number of seclusion incidents– 7281
 - Number of ESI incidents– 13793
 - Female
 - Number of physical restraint incidents– 1623
 - Number of seclusion incidents– 1243
 - Number of ESI incidents– 2866
- Based on Free/Reduced Lunch and IEP
 - The number of incidents in which ESI was used on students who have an IEP aggregated by free/reduced lunch
 - Yes
 - Number of physical restraint incidents with students with an IEP – 5792
 - Number of seclusion incidents with students with an IEP – 5684
 - Number of ESI incidents with students with an IEP – 11476
 - No
 - Number of physical restraint incidents with students with an IEP – 1214
 - Number of seclusion incidents with students with an IEP – 1964
 - Number of ESI incidents with students with an IEP – 3178

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- Free/Reduced lunch and 504
 - The number of incidents in which ESI was used on students who have a Section 504 plan aggregated by free/reduced lunch
 - Yes
 - Number of physical restraint incidents with students with a 504 plan – 55
 - Number of seclusion incidents with students with a 504 plan – 89
 - Number of ESI incidents with students with a 504 plan – 144
 - No
 - Number of physical restraint incidents with students with a 504 plan – 6
 - Number of seclusion incidents with students with a 504 plan – 11
 - Number of ESI incidents with students with a 504 plan – 17
- Free/Reduced lunch without IEP or 504
 - The number of incidents in which ESI was used on students who do not have an IEP, or a Section 504 plan aggregated by free/reduced lunch
 - Yes
 - Number of physical restraint incidents with students without an IEP or Section 504 plan – 719
 - Number of seclusion incidents with students without an IEP or Section 504 plan – 420
 - Number of ESI incidents with students without an IEP or Section 504 plan – 1139
 - No
 - Number of physical restraint incidents with students without an IEP or Section 504 plan – 215
 - Number of seclusion incidents with students without an IEP or Section 504 plan – 168
 - Number of ESI incidents with students without an IEP or Section 504 plan – 383
- Totals for Free/Reduced
 - The total number of incidents in which ESI was used on students aggregated by free/reduced lunch
 - Yes
 - Number of physical restraint incidents– 6551
 - Number of seclusion incidents– 6139
 - Number of ESI incidents– 12690
 - No
 - Number of physical restraint incidents– 1433
 - Number of seclusion incidents– 2140
 - Number of ESI incidents– 3573
- By Age
 - Age 2
 - Number of physical restraint incidents with students with an IEP – 0
 - Number of seclusion incidents with students with an IEP – 0
 - Number of ESI incidents with students with an IEP -0
 - Age 3
 - Number of physical restraint incidents with students with an IEP – 8

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- Number of seclusion incidents with students with an IEP – 0
 - Number of ESI incidents with students with an IEP -8
- Age 4
 - Number of physical restraint incidents with students with an IEP – 38
 - Number of seclusion incidents with students with an IEP – 39
 - Number of ESI incidents with students with an IEP - 77
- Age 5
 - Number of physical restraint incidents with students with an IEP – 397
 - Number of seclusion incidents with students with an IEP – 652
 - Number of ESI incidents with students with an IEP - 1049
- Age 6
 - Number of physical restraint incidents with students with an IEP – 799
 - Number of seclusion incidents with students with an IEP – 1341
 - Number of ESI incidents with students with an IEP – 2140
- Age 7
 - Number of physical restraint incidents with students with an IEP – 800
 - Number of seclusion incidents with students with an IEP – 1092
 - Number of ESI incidents with students with an IEP - 1892
- Age 8
 - Number of physical restraint incidents with students with an IEP – 677
 - Number of seclusion incidents with students with an IEP – 1104
 - Number of ESI incidents with students with an IEP – 1781
- Age 9
 - Number of physical restraint incidents with students with an IEP – 886
 - Number of seclusion incidents with students with an IEP – 1226
 - Number of ESI incidents with students with an IEP – 2112
- Age 10
 - Number of physical restraint incidents with students with an IEP – 930
 - Number of seclusion incidents with students with an IEP – 738
 - Number of ESI incidents with students with an IEP -1668
- Age 11
 - Number of physical restraint incidents with students with an IEP – 623
 - Number of seclusion incidents with students with an IEP – 656
 - Number of ESI incidents with students with an IEP - 1279
- Age 12
 - Number of physical restraint incidents with students with an IEP – 444
 - Number of seclusion incidents with students with an IEP – 350
 - Number of ESI incidents with students with an IEP - 794
- Age 13
 - Number of physical restraint incidents with students with an IEP – 482
 - Number of seclusion incidents with students with an IEP – 281
 - Number of ESI incidents with students with an IEP - 763
- Age 14
 - Number of physical restraint incidents with students with an IEP – 311
 - Number of seclusion incidents with students with an IEP – 114
 - Number of ESI incidents with students with an IEP - 425

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- Age 15
 - Number of physical restraint incidents with students with an IEP – 126
 - Number of seclusion incidents with students with an IEP – 37
 - Number of ESI incidents with students with an IEP - 163
- Age 16
 - Number of physical restraint incidents with students with an IEP – 167
 - Number of seclusion incidents with students with an IEP – 88
 - Number of ESI incidents with students with an IEP -255
- Age 17
 - Number of physical restraint incidents with students with an IEP – 250
 - Number of seclusion incidents with students with an IEP – 109
 - Number of ESI incidents with students with an IEP - 359
- Age 18
 - Number of physical restraint incidents with students with an IEP – 117
 - Number of seclusion incidents with students with an IEP – 33
 - Number of ESI incidents with students with an IEP -150
- Age 19
 - Number of physical restraint incidents with students with an IEP – 60
 - Number of seclusion incidents with students with an IEP – 14
 - Number of ESI incidents with students with an IEP -74
- Age 20
 - Number of physical restraint incidents with students with an IEP – 26
 - Number of seclusion incidents with students with an IEP – 7
 - Number of ESI incidents with students with an IEP -33
- Age 21
 - Number of physical restraint incidents with students with an IEP – 2
 - Number of seclusion incidents with students with an IEP – 2
 - Number of ESI incidents with students with an IEP – 4
- Kansas School Safety and Security Act, K.S.A. §§ 72-6141 to -6145
 - Local boards of education must **annually** compile and report to the Kansas State Board of Education certain information related to school safety and security. This includes the types and frequency of acts that involve conduct that constitutes the commission of a felony or misdemeanor. This **information must be disaggregated** by occurrences at school, on school property, and at school-supervised activities.
 - **K.S.A. § 72-6143(g)** requires the Kansas State Board of Education to transmit this information to the Kansas Governor, Kansas Senate, Kansas House of Representatives, Attorney General, and Secretaries of KDHE, KDCF, and DOC
- Aggregated by level
 - Incident Type – Felonies
 - At school – 159
 - On school property – 17
 - School supervised activities – 17
 - Arrests and referrals to law enforcement or Juvenile Intake and Assessment Services made in connection to the criminal act – 53
 - Incident Type – Misdemeanors

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- At school – 2054
 - On school property – 212
 - School supervised activities – 30
 - Arrests and referrals to law enforcement or Juvenile Intake and Assessment Services made in connection to the criminal act - 503
- Incident Type – Possession, use or disposal of explosives, firearms, or other weapons
 - At school – 72
 - On school property – 13
 - School supervised activities – 4
 - Arrests and referrals to law enforcement or Juvenile Intake and Assessment Services made in connection to the criminal act – 23
- Aggregated by Ethnicity
 - Hispanic Latino
 - Felonies – 47
 - Misdemeanors – 572
 - Weapons – 17
 - Arrest and referral to law enforcement - 105
 - Multi-Ethnic
 - Felonies – 18
 - Misdemeanors – 225
 - Weapons – 6
 - Arrest and referral to law enforcement -63
 - American Indian or Alaska Native
 - Felonies – 2
 - Misdemeanors – 42
 - Weapons – 3
 - Arrest and referral to law enforcement - 19
 - Asian
 - Felonies – 1
 - Misdemeanors – 14
 - Weapons – 0
 - Arrest and referral to law enforcement -5
 - Black or African American
 - Felonies – 41
 - Misdemeanors – 410
 - Weapons – 12
 - Arrest and referral to law enforcement - 52
 - Native Hawaiian or Other Pacific Islander
 - Felonies – 1
 - Misdemeanors – 3
 - Weapons – 0
 - Arrest and referral to law enforcement - 2
 - White
 - Felonies – 82
 - Misdemeanors – 1011

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- Weapons – 51
 - Arrest and referral to law enforcement – 322
- By Gender
 - Male
 - Felonies – 150
 - Misdemeanors – 1479
 - Weapons – 82
 - Arrest and referral to law enforcement – 385
 - Female
 - Felonies – 42
 - Misdemeanors – 798
 - Weapons – 7
 - Arrest and referral to law enforcement - 183
- Updated Documents
 - <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/KIAS-Kansas-Integrated-Accountability-System/Emergency-Safety-Interventions-ESI>
- Additional Resources
 - <https://www.ksde.org/Agency/Division-of-Learning-Services/Special-Education-and-Title-Services/KIAS-Kansas-Integrated-Accountability-System/Emergency-Safety-Interventions-ESI>
 - https://ksdetasn.org/universal_search?search_term=esi

SEAC Member Reports

- Lena Kisner
 - Where are we on filling the vacant SEAC positions?
 - Response by Marvin Miller: The leadership did meet online. We asked for some more information from the applicants. The intent is after this meeting, leadership will meet to discuss those.

Council Ex-Officio Member Updates

- **Families Together** – Lesli Girard
 - New grant through the Department of Children and Families
 - FAST program; Family Advocacy Support and Training
 - Now staffed and can serve families with children birth through age 17 with at least one child having an intellectual or developmental disabilities
 - There will be a referral process
 - Jam Fest
 - April 27th, 2024
 - Kansas City Metro area
 - Goal is to get youth involved and increase youth leadership
 - Breakouts
 - Working on a needs program at an Alternative School in Olathe
- **Kansas Association of Special Education Administrators (KASEA)** – Ashley Enz
 - Special Education Task Force did meet January 5th, 2024

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- 2 recommendations
 - Recommending full funding of special education with a phased plan over 4 years to attain 92% of state level excess costs
 - Recommending KDHE open additional Medicaid codes similar to what other states are doing so Kansas districts and Infant-Toddler programs can access additional funding for the provision of eligible services to eligible students
 - Connecting with KASEA
 - Next meeting is April 17th on Zoom
 - The Cost of Special Education in Kansas resource
 - Updated annually
 - Intention is to share this resource with superintendents, legislators, and other stakeholders
 - Number of students served by IDEA and Gifted in Kansas has leveled out a little the last few years however, funding for excess costs continues a downward trend
 - Hopeful with the task force and advocacy that this will change
- **Kansas State Board of Education (KSBOE) Update** – Jim McNiece
 - Looking forward to meeting with SEAC on Valentines Day for breakfast
 - Items that would be beneficial to discuss
 - Open enrollment
 - Kansas Activity Association
 - Virtual programs
 - Any issues that will impact different entities and students
- **Kansas State School for the Blind** – Jon Harding
 - Celebrate Access Event
 - January 25, 2024
 - Students come from across the state
 - Celebrates student independence
 - February 29, 2024, in Wichita
 - 200th anniversary of the Braille code
 - Outreach
 - Most activities take place across the state and are called ECC
 - Expanded Core on the Road
 - Functional skills
 - Assistive technology available
 - Orientation and mobility
 - Braille
 - Doing an ECC at the Capital on February 7
 - Will include teachers and students advocating and thanking legislators for their support
 - Events
 - Trail Blazer event in the spring
 - Blind Sports Day May 4th

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- Ribbon cutting for the new blind soccer field that will be within the track
 - Hosting a STEM competition called Make 48 from April 12th through April 14th
 - 6 schools of the blind from across the US will attend
 - KSSB students will mentor and coach students from other schools
- **Kansas State School for the Deaf** – Luanne Barron
 - Regarding a question from Lena from November 30, 2023
 - Analyzing student behavior
 - Assessments done in house by staff
 - KSSD did receive funding for birth to age 3
 - Assessments now cover birth to age 8
 - At 9, yearly assessments cease
 - There is now a service fee that was instituted last year so now there are 4 positions that are filled within the Outreach Department
 - In 2018, we started assessments and assessed 20 students
 - In 2019, we assessed 56 students
 - In 2020, we assessed 63 students
 - In 2021, we assessed 102 students
 - In 2022, we assessed 130 students
 - In 2023, we assessed 133 students
 - Currently, we have assessed 54 students in 2024
 - Regular update
 - Our Language Assessment Program Coordinator Angie Walker is moving to Maine. Our current replacement for her is Julie Bustos
 - Our strategic plan has wrapped up. These are 3-year cycles, and this was from 2020-2023
 - Beginning our work on a new strategic plan and vision
 - Working with KASB, a task force, focus groups, and Community Town Hall meetings for feedback
 - Looking for information from stakeholders
 - There will be a survey released in the spring
 - For first time ever, the KSSD hosted a national basketball tournament
 - 9 deaf schools from across the US were selected with over 240 athletes and coaches attending
 - Our girls team won first place
 - Our boys team won second place
 - KSSD will host Regional STEM conference February 9 and 10
 - 23 schools of the deaf from US
 - Over 125 students will attend
- **Kansas National Education Association** – Idalia Shuman
 - KNEA is staying neutral on Open Borders bill
 - KNEA has directors that work regionally throughout the state and have program staff such as government relations and communications
 - Idalia is the Director of Teaching and Learning

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- They did have staff attend the Special Education Funding Task Force
 - Brought in educators to give testimony in support of fully funded special education
- Educators Rising
 - Program that supports students exploring teaching as a career
 - Host regional conferences
 - Previous one was in November
 - Next conference is February 7th, and it will be hosted by Ottawa University
 - We try to have a different higher education campus host the conferences each time, so students are exposed to the different universities around Kansas, including both private and public universities
 - Currently 129 are registered to attend
 - Includes competitions, leadership awards, breakout sessions, campus tours, vendor tables, and exposure to all careers that keep education going
 - Currently short on judges, please email Idalia to sign up if you are interested
 - There is a training that is prepared
 - Expanding next year to include collegiate
 - Theme is selected by student officers
 - Teaching the Whole Student
 - Sessions will be focused on meeting student needs
- Second Annual KNEA Conference for Educational Support Professionals
 - Theme is around social-emotional learning
 - Staff is seeing an increase in suicide of students they are working with
 - April 11th and April 12th
 - Seeking keynote speakers

Other Updates:

Special Education Advisory Council Meeting Dates 2023-2024

April 11, 2024

9am - 3pm

Bishop Professional Development Center and Zoom

Closing Comments

Items for Next meeting

- Contact Bert Moore or Joyce Broils with any new items

Action: Motion to Adjourn meeting

Motion to Adjourn: Brooke Moore

Motion seconded: Jennifer King

Meeting adjourned: at 3:12 pm

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