

SPECIAL EDUCATION ADVISORY COUNCIL  
MINUTES



## Details

Date September 28, 2023

Time 9:00 a.m. – 3:00 p.m.

Location: Bishop Education Center- Topeka, KS/Zoom

Call to Order: at 9:00 a.m.

### Roll Call

Members (x present, blank absent):

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

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

X	Jim McNiece	X	Ashley Enz	X	Jon Harding
X	Leslie Girard	X	Luanne Barron		
	Mike Burgess	X	Idalia Shuman		

KSDE Staff:

X	Bert Moore	X	Stacy Clark	X	Kerry Haag
	Cary Rogers	X	Kayla Love	X	Dean Zajic
X	Brian Dempsey	X	Alysha Nichols	X	Crista Grimwood
	Maureen Ruhlman				

Guests: Karrie Shogren from KUCDD Idalia Shuman with KNEA, and Wayne Ball from the American Institutes for Research

Quorum (9) met: Yes, 10 voting members present

Agenda Approval: September 28, 2023 Agenda

Motion to approve: Lindsey Graf

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



**Second:** Jennifer King

**Action:** Approved

**Minutes Approval:** April 13, 2023 Minutes

**Motion to approve:** Lena Kisner

**Second:** Lindsey Graf

**Action:** Approved

**Minutes Approval:** July 27, 2023 Minutes

**Motion to approve:** Lena Kisner

**Second:** Jennifer King

**Discussion:** Lindsey Graf has advised the details page has July 26 as the date of the July 27<sup>th</sup> meeting

**Action:** Approved with date correction

### Chair-Elect Election

Lena Kisner and Lindsey Graf volunteered to be nominated

**Motion to Cease nominations:** Jennifer King

**Second:** Jose Cornejo

Lena Kisner is in her eighth year of being the Director of the Reno County Education Co-Op. This is her second year on the Special Education Advisory Council. She is the current President of the Kansas Association of Special Education Administrators. Kisner is also the parent of a child with a disability. Prior to her current employment, she was a school psychologist. Kisner is also a mentor with the KELI Mentor Program, a program that assists new Special Education Directors.

Lindsey Graf is in her sixth year as the Special Education Director for Coffee County. She served two years as the Assistant Director at Keystone Learning Services. Prior to that Graf was a special education teacher. Graf adopted a child with a disability two years ago. This is her first official year on the Special Education Advisory Council. Graf is also a member of the Kansas Association of Special Education Administrators.

Votes for Lena Kisner – 0 in person votes, 2 votes online

Votes for Lindsey Graf – 3 in person votes, 3 votes online

Lindsey Graf has been elected to the Chair Elect position

### Public Comment:

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

### Open SEAC Positions

#### Kayla Love and Bert Moore

- Representative from the state juvenile corrections agency
- Representative from the state agency responsible for foster care of children
- Parent of a child with a disability, ages birth through 26 years
- Individual with a disability

If someone is interested, they would need to apply through this link

<https://forms.gle/ThFovGLUB9Rci1rPA>



This will take them to a Google survey form. General questions include the following: what position they are applying for, their home address, email address, phone number, and what State Board of Education regions they work in and reside in.

Following the application there is a membership committee that would review all of the applications and if the individual fits the criteria of the board region and the Council would still meet the 51% disability rule, the individual would be voted into the position. After this, letters of approval would go to the State Board of Education for their approval and then out to the nominee.

## Orientation

### Bert Moore and Kayla Love

- It is a federal requirement that Kansas has a State Advisory Council
  - § 300.167 The State must establish and maintain an advisory panel for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State
- Council members are representatives of the State population demographics and composed of individuals involved in, or concerned with, the education of children and youth with disabilities
  - Kansas does include Giftedness
- Kansas SEAC membership positions
  - Related services
  - Private schools
  - Local education officials
  - Homeless
  - Corrections- Juvenile
  - Corrections – Adult
  - Parents
  - General education
  - Students
  - Vocational, community or business
  - State official
  - Foster care
  - Institutions of Higher Education
  - Gifted\*
  - Administrator of Exceptional programs
  - Charter Schools
  - Other agencies
- Kansas SEAC Ex-Officio Members
  - Groups that provide input and help advocate for people with disabilities
    - Parent Training and Information Center – Families Together
    - Disability Rights Center
    - Kansas State School for the Deaf/Hard of Hearing
    - Kansas State School for the Blind
    - State Board of Education
    - Kansas Association of Special Education Administrators
    - Kansas National Education Association



- Kansas Senate Education Committee- Designee
  - Kansas House Education Committee- Designee
- Special Rule 51%
  - 34 CFR 300.168 (b)
    - The majority of the members of the panel must be individuals with disabilities and/or parents/guardians of children with disabilities
- Current membership committee
  - Marvin Miller
  - Lindsey Graf
  - Jennifer King
- Representation
  - One of the most significant contributions each council member makes is that of representing their stakeholder group. The federal regulations require that the specific stakeholders be represented by membership on the State Special Education Advisory Council. This requires that the council consider methods that can facilitate ongoing communication between council members and their stakeholder group
- Advisory Council – Primary Role
  - Serves as advisory to the State Office of Education, Special Education Unit and/or directly to the State Commissioner or State Board of Education
    - Council responsibilities
      - To give advice
      - To inform
      - To counsel
      - To recommend
      - To suggest
      - To guide
- Exercising Advisory Responsibilities
  - Issues/priorities are brought to the council
  - Member perspective/experience is relayed to the council
  - Stakeholder input is relayed to the council
  - Council members discuss the issues, perspectives, and input
  - Resources and information are gathered and presented to the council
  - The Council provides objective advice to state agency
  - State agency can take action to remedy the issue/priority which improves services for children and youth with disabilities
- Advocacy
  - There is a place for advocacy at council meetings. During discussions you might take sides, favor a position, or support a position. However, in the final analysis, hopefully the council can come to a consensus and provide meaningful advice that leads to change for children and youth with disabilities
- Special Interest Advocacy
  - There are special groups in the State that are advocacy in nature
    - Protection and Advocacy
    - Disability Organizations



- Professional Organizations
- Advisory council Procedures
  - Adhere to State Open Meeting laws. All advisory council meetings and agenda items must be announced far enough in advance of the meeting to afford interested parties a reasonable opportunity to attend. Meetings must be open to the public
    - If possible, provide meals or refreshments at council meetings
- Recommendations for Advisory Council
  - Close working relationship with the State Director and their team
  - Membership orientation
  - Understand council functions
  - Advisory, not advocacy, in nature
  - Discuss current issues and trends in the field of special education
  - Priorities determined by data from the State Performance Plan/Annual Performance Reports as well as
  - State Level of Determination or Technical Assistance as determined by the Office of Special Education Programs
  - Part C connection
  - Support State Education Agency's improvement efforts
  - Use the established by-laws for the council operation and update as needed
- The Big picture
  - US Department of Education flows to the Office of Special Education and Rehabilitation Services
  - The Office of Special Education and Rehabilitation Services flows to the Office of Special Education Programs
  - The Office of Special Education Programs flows to the following
    - State Education Agency
    - Technical Assistance Projects
      - These assist both the Lead Education Agency and the State Education Agency
    - Lead Education Agency
  - The State Education Agency flows into the Special Education Advisory Council
    - Council concerns children and youth with disabilities in Part B (3-21 years)
    - Council then advises the State Education Agency, and the flow reverses
  - The Lead Education Agency flows into the Interagency Coordinating Council
    - Council concerns infants and toddlers in Part C (birth-2 years)
    - Council then advises the Lead Education Agency, and the flow reverses
  - Both the Special Education Advisory Council and the Interagency Coordinating Council work to keep the focus on the needs of infants, toddlers, children, and youth with disabilities
- General Supervision; State Education Agency oversight
  - Components of General Supervision
    - Kansas Integrated Accountability System
      - State Performance Plan and State goals with measurable targets



- Fiscal management
- Integrated On-site and Off-site monitoring activities
- Effective policies and procedures
- Timely and accurate data on processes and results
- Improvement, correction, incentives, and sanctions
- Effective dispute resolution
- Targeted technical assistance and professional learning
- State Performance Plan Indicators
  - Reported to US Department of Education annually
    - Graduation
    - Dropout
    - Assessments
    - Suspension/Expulsion
    - Least Restrictive Environment
    - Preschool Least Restrictive Environment
    - Preschool Outcomes
    - Parent Involvement
    - Disproportionate Representation
    - Disproportionate Representation – disability category
    - Evaluation timelines
    - Preschool transition
    - Secondary transition
    - Post-school outcomes
    - Resolution sessions
    - Mediation
    - State Systemic Improvement Plan
- National Special Education Advisory Council and Interagency Coordinating council website
  - Access to State Special Education Advisory Council and Interagency Coordinating council websites
  - Information and resources
  - Announcements
  - National Quarterly Webinars
  - <https://osepideasthatwork.org/resources-grantees/sap-sicc>

## Reimbursements

### Kayla Love

- Members are reimbursed for attending in person meetings
- Must have a W-9 on file

## Meeting Dates

### Kayla Love

- July 27, 2023; Wichita and Zoom from 12-4pm
  - Hyatt Regency Wichita
- September 28, 2023; Topeka and Zoom from 9am-3pm
  - Bishop Professional Development Center



- November 30, 2023; Topeka and Zoom from 9am-3pm
  - Bishop Professional Development Center
- January 9, 2024; Topeka and Zoom from 1-3pm
  - Landon State Office Building
- January 10, 2024; Topeka and Zoom from 9am-3pm
  - Landon State Office Building
  - Breakfast with the Board starts at 7:30 am
  - In-person attendance is recommended
  - Meet with State Interagency Coordinating Council from 1pm-3pm
- April 11, 2024; Topeka and Zoom from 9am-3pm
  - Bishop Professional Development Center

## Tri-State Law Conference

### Bert Moore

- Leadership members can attend
  - Marvin Miller, Jennifer King, and/or Lindsey Graf
- Registration, per diem, mileage, hotel, and tolls (if applicable) are reimbursable
  - Hotel must be at conference rate, conus rate, or no more than 25% over the conus rate for the full amount to be reimbursed
- Leadership may also attend the Office of Special Education Program conference next summer

## Statewide IEP

### Dean Zajic and Brian Dempsey

- The State of Kansas is exploring the possibility of having a statewide Individual Education Plan system. They are seeking feedback from constituents across the state (teachers, parents, advocates, and local directors of special education) if a statewide Individual Education Plan system is right for Kansas
  - Discussions began in 2022
  - Gathered information from other states on what they implemented, their successes and their troubles
    - Oklahoma, Idaho, Connecticut, and Colorado
    - Some piloted the program with select districts
    - Some made it optional for districts to participate
    - 90 percent of districts in these states were participating
- Why have it?
  - A statewide Individual Education Plan would allow everyone with a role in supporting the student a chance to determine the student's Individualized Education Program
  - Individuals with Disabilities Education Act requires that Individual Education Plans be developed for eligible students with disabilities
  - Individuals with Disabilities Education Act establishes a written plan that specifies how education, related services, and support is delivered- an Individualized Education Plan
  - The Individualized Education Plan identifies special education and related service supports needed for a student with a disability, including Gifted students



- in the State of Kansas
  - o Many states already have a statewide Individual Education Plan and Kansas education-based groups have expressed interest in one
- IEP Involvement
  - o Parents know their child best and can discuss their child's personality and history
  - o Parents offer insight into past education experiences for the team to understand the student's strengths, needs, frustrations, and interests
  - o Parents/guardians and students may invite anyone they choose to attend the Individualized Education Plan meeting
- What are the pros?
  - o Helps ensure that every child with an exceptionality has a compliant Individualized Education Plan that meets federal regulations and requirements
  - o Better opportunity to engage all parents and stakeholders in the process
  - o Easier access to data, transfer of data, and better retention of data
  - o Better record reporting for the student, especially if they transfer schools
- What are the cons?
  - o While greatly improving the quality of Individualized Education Plans, tracking, and reporting of data, the process can be time consuming on the front end (up to two or more years for implementation)
  - o It may take more human resources and time to transfer existing data into a new system
  - o Some local education agencies may see it as a barrier to implementing a program that fits their individual needs
  - o Fiscal resources in the implementation phase may be higher. Most states cover the cost of their statewide Individualized Education Plan system
  - o The state procurement process requires periodic purchasing processes (typically every 5 years), which may lead to vendor transition
- Improving the quality of instruction
  - o Can facilitate uniformity amongst school districts
  - o Solves limitations and inflexibility caused by lack of available human resources that interfere with implementation
  - o Could make a student's transfer to a receiving district more seamless
  - o Parents would have better access to student records and may create opportunities for more involvement in developing the student's education plan
- Improving data systems
  - o Supports the development of a new adaptive IEP document
  - o Reduces the current local data reporting burdens
  - o Consolidates the timely collection and accurate reporting of student data and information
  - o Provides a document repository and facilitates timely record transfers
  - o Ensures differentiated secure access to student data including a parent/guardian portal
  - o Allows for interoperability with existing state and local data systems and other authorized vendor programs



- Provides for the creation of student and aggregate reports for multiple user levels including teacher, school, district, parents, and the Kansas State Department of Education
- Improving Federal Compliance
  - A statewide Individualized Education Plan system can help the Kansas State Department of Education meet its oversight responsibilities and ensure compliance with Federal regulations and requirements
  - Easier and more efficient to access student records, data, and education programs with less interventions and burden on the local education providers
- Please provide any feedback you may have at this link
  - <https://forms.gle/9kzrWY7a43A23v7QA>
- Feedback from meeting attendees
  - Ashley Enz- Did any of the States that implemented this run into issues with the statewide Individualized Education Plan talking with the individual student information systems across the state?
    - The ongoing work if the systems does not connect is a concern
    - Reply by Dean Zajic: The states that have a system were intentional in this process of building it and rolling it out to try and build that kind of interoperability in from the start. This would be one of the important factors as the State of Kansas works through the process.
      - One of the states allowed districts to add customizations and enhancements on to the Statewide Individualized Education Plan system, but at the district cost
  - Lindsey Graf- The field definitely has a lot more buzz about this, with a sentiment that we are a lot further along than maybe we have ever been. That said there is some nervousness about it. But there is a lot more positioning that's being done. One of the things that needs to be continued to be passed is that this is still in the very early stages
    - Reply by Brian Dempsey: Correct and that came up yesterday when talking with parents, they felt that we were asking their input and the decisions had already been made and it was just being dopped at their feet last minute. This is just an initial gathering of information. What are the concerns or barriers we haven't thought about yet
  - Jenny Kurth- "I support this idea as a researcher and a person who has been on a lot of Individualized Education Plan teams as a former teacher." She goes on to mention the Supreme Court of Endrew F v. Douglas County Schools where Chief Justice John Roberts is quoted as saying "The IEP is not a form." While it is not a form, the forms are very important in avoiding substantive violations of IDEA. Her research supports the findings that low quality individual education plans result in substantive violations. There are many things that, if the individual education plan team had, could help avoid some of these problems.
    - Reply by Brian Dempsey- It has been asked if the State is just trying to create a cookie cutter, checkbox form. That is not the intent. It does not individualize anything for a student. It would help having guided conversations based on the form. That way the team would be critically



- thinking individually about that student
- Marvin Miller- As we look forward in building this, it is important to think about the 18–21-year-old transition, as well as the infant-3<sup>rd</sup> birthday transition, in a hope of trying to make things as seamless as possible. These questions may be down the road, but are still important as we think about crafting a system
  - Kerry Haag- “Can you give a couple of examples from your interactions with other states, of how they adopted this, what that process looked like in terms of rolling out”
    - Reply by Brian Dempsey- One state was cohorted in, another was by volunteer. Oklahoma was surprised at how quickly Oklahoma City came on board, other than that it’s been a smooth transition. There have been different approaches.
  - Trish Backman- Is there a workgroup that is designed to work with other agencies such as McKinney-Vento, foster car, or justice involved, to find out what they might already be doing?
    - Reply by Brian Dempsey- Not specifically. This would be something down the road to look at. It would be beneficial to look at what information can be exchanged in a system, such as a statewide individual education plan, that would make things seamless for transitions and as well as being mindful of maintaining confidentiality but of benefit to the student
  - Stacy Clarke- “Originally, I thought that would be a good idea. But then, as I thought about it a little bit more ... it would be best if this document stayed with the school system.” For the reason that it would encourage communication and agencies to come to the school and be a part of the team, which would be more beneficial. They need to develop a relationship with the child.
    - Reply by Brian Dempsey- As a lawyer, sharing a lot is probably prohibited. What can be shared? What notices can we get out in a more efficient way that will bring people to the table.
    - Reply by Dean Zajic- With the stage we are in right now, it is most important that we are capturing these considerations, and then we can deliberate on them later. As we move forward there will be a really deep dive into each of the different pieces and considering what can and cannot be done.
  - Lesli Girard- This brings to mind the Stronger Connections grant. Families Together likes the idea of referring, and that would be another possibility of looking at what is going on in the background
  - Marvin Miller- A lot of the surveys we do are geared toward teachers and stakeholders and they are not parent friendly. Is there a really parent friendly form and survey? We will need comments and input from parents.
    - Reply by Dean Zajic- There are a few forms that were made to be given out and shared with parents and caregivers, that thanks to Lesli Girard and Jane Groff and their teams, incorporated more plain language. This makes it more parent friendly and accessible to stakeholders. The survey itself is very, very short with one required question asking where the surveyed person falls on stakeholders (parent, teacher, etc.) and the rest



of the questions are subjective and open ended.

## Dyslexia FAQ and Eligibility Indicators

### Bert Moore and Brian Dempsey

- Last year, House Bill 2322 was passed. This changed Emotional Disturbance to Emotional Disability. An emotional disturbance is a personal thing, an emotional disability is a condition
  - We should not be labeling someone as disturbed
  - Right before the bill was passed, Dyslexia was added to the bill to make it a state disability category
  - Dyslexia is a condition addressed under the Federal language under learning disability
    - Laurie Curtis is the State of Kansas Dyslexia Consultant
- The Kansas Department of Education Frequently Asked Questions document is on the KSDE.org website under Dyslexia
  - Dyslexia is not a new category
  - Dyslexia has always been included in the Federal and Kansas definition of specific learning disability
  - Special Education agencies within the State were asked to place a checkbox in their individual education plans for Dyslexia and to check it – if it applied to that student
- In the field of education, we do not diagnose
  - Meeting the eligibility criteria for dyslexia does not require a clinical or doctors' diagnosis
    - We identify student's as eligible or ineligible for services in special education under specific disability categories
  - If documentation from the parent shows or suggests that the child is a student with a disability, under Child Find, schools have the accountability to do general interventions and the parent can ask for a comprehensive evaluation
    - At that point the school either provides the evaluation or sends prior written notice that they are not going to do it
    - If the parent is unhappy with the prior written notice, they can start due process action against the district
    - They cannot delay an evaluation based upon general education interventions
    - They can do concurrent evaluation while collecting information and interventions
    - There are 60 school days to do the evaluation after it is requested
  - The State of Kansas is offering LETRS training
    - Lexia LETRS – Language Essentials for Teachers of Reading and Spelling is a comprehensive professional learning program
    - Current estimates indicate 20-40% of students have deficiencies in reading
  - The State of Kansas is asking that the Special Education Advisory Council approve the Dyslexia Frequently Asked Questions document
    - Kevin Davis at the Technical Assistance System Network worked diligently



- to put this together
  - As questions are received this document will be updated and the date of the update will be posted as well
  - Ashley Enz- One of the questions out of the Kansas Association of Special Education Administrators is what does the Kansas State Department of Education mean by “add this to the Individualized Education Plan?” Is there just a box on the plan to mark if a student has dyslexia for documentation purposes only or if they are needing to formally add dyslexia onto the student’s Individualized Education Plan. The Frequently Asked Questions document says no consent or evaluation is required and the field is hesitant to add that to the plan without drawing the parent’s attention to it and explaining why it was there. Another concern was ensuring that it was still a team decision when considering if the student did meet the criteria or if it is a reading disability manifesting in comprehension which could look different.
    - Reply by Bert Moore- We do not want all of the students that meet the specific learning disability designation to go through a new evaluation. If there is evidence in the evaluation report that the child had a learning disability of dyslexia, that it could be documented on the Individual Education Plan form because parents are asking for it to be recognized and one way that can occur is the in the present levels of education performance where academic deficiencies are discussed. A checkbox would show parents the verification that the child has been recognized as having dyslexia and the present levels of education performance could be indicative in the reading section about where the deficiencies exist
      - Remember having a reading deficiency and having a learning disability does not necessarily identify dyslexia
  - Lesli Girard- Wanted to thank Ashley for thinking about the families
  -

**Motion for approval of Dyslexia Frequently Asked Questions document and when there are regular updates they will be dated as such**

**Motion to approve:** Jennifer King

**Second:** Brooke More

**Action:** Approved

**Motion to approve the updated eligibility indicators**

**Motion to approve:** Lindsey Graf

**Second:** Brooke Moore

**Action:** Approved

## KUCDD

**Karrie Shogren and Jennifer Kurth**

- Jennifer Kurth is an associate professor and Chair of the Department of Special Education at the University of Kansas. She is also the Director of Interdisciplinary Training at the Kansas University Center on Developmental Disabilities
- Karrie Shogren is the Director of the Kansas University Center on Developmental Disabilities



- The Kansas University Center on Developmental Disabilities was established in 1969 and is part of a national network of University Centers for Excellence in Developmental Disabilities that are authorized under public law 106402 or the Developmental Disabilities, Assistance and Bill of Rights Act of 2000. Core funding is administered by the Office of Intellectual and Developmental Disabilities in the US Department of Education. There are currently 67 Centers, with at least one being in every state and territory. The University of Kansas is the only center in Kansas
  - Centers focus on individuals' birth through death
- The purpose of University Centers for Excellence in Developmental Disabilities is to provide leadership in, and advise Federal, State and community policymakers about, and promote opportunities for individuals with developmental disabilities to exercise self-determination, be independent, be productive, and be integrated and included in all facets of community life
- Kansas University Center on Developmental Disabilities Missions and Values
  - Through research, training, technical assistance, and community service activities, we strive to enhance the quality of life, self-determination, and inclusion of Kansans with developmental disabilities and their families
  - Values include:
    - Doing high-quality work
    - Knowing your purpose
    - Seeking diversity
    - Including others
    - Respecting other people
- Core Functions
  - Interdisciplinary pre-service preparation training and continuing education
  - Research, evaluation, public policy analysis
  - Community services (technical assistance, models, and demonstrations)
  - Information Dissemination
- Kansas University Center for Developmental Disabilities Consumer Advisory Panel
  - 9-member panel of people with developmental disabilities constituting the majority of the members
  - Primary function of the Panel is to advise the Center's director, researchers, and staff about issues that are important to people with disabilities and their families
    - The Panel initiates projects to fulfill the needs of importance to its members
      - Recent examples include creating a resource guide for Kansans around voting during the COVID-19 pandemic, and a video around good communication practices for healthcare workers when serving people with disabilities
      - There is currently a video in progress around augmented and alternative communication devices and their use on college campuses
  - The Panel also supports the Leadership Education in Neurodevelopmental and related Disabilities – LEND- with guidance and input
  - The Panel meets virtually or in person four times each year



- By the Numbers
  - In Fiscal Year 2022 members of the Kansas University Center for Developmental Disabilities:
    - Published or submitted 127 articles, 12 book chapters, 3 books and 10 newsletters
    - Developed 2 academic courses
    - Presented 177 conference presentations and poster sessions
    - Conducted 382 continuing education and community training activities
- Current projects
  - Institute of Educational Sciences funded a grant that started in 2021, this is the Self Determined Learning Model of Instruction for Reading
    - 4-year, multi-site project
    - Aims to develop and test a new intervention to increase reading achievement among fourth and fifth graders with, or at risk of, reading disabilities
    - Conducted alongside an evidence-based reading intervention and content will be explicitly connected to students reading practices and goals related to reading performance
    - This project is in collaboration with the Austin location of the University of Texas
    - Currently doing this work in Lawrence Public Schools
  - Propel Project
    - Promoting Collaboration for Secondary Success
    - Targets high school students who have autism
    - Combines self-determination and peer support working across schools in Kansas
  - SOARS project
    - The acronym stands for Strengthening Outcomes for All leaRners in Inclusive Settings
    - Capital letters signify acronym
  - Kansas University Center for Developmental Disabilities is always looking for new partners to conduct research with and create opportunities for collaboration
- Kansas University Center for Developmental Disabilities community service projects
  - Kansas Health and Research Partnership
  - My Transition, My Career
  - Black Feathers Podcast, Disability Conversations for All
  - Kansas University Assistive Technology for Kansas
  - State of the States in Intellectual and Developmental Disabilities
  - Kansas Navigator Series
- Kansas University Center for Developmental Disabilities provides Interdisciplinary Training and Education which includes interdisciplinary pre-service training and also continuing education for students and professionals in education, allied health professionals and transition to adulthood services
  - Self-Determined Career Design Model



- Project INSTRUCT
  - The acronym stands for Inclusive iNterdisciplinary Supports and Training for Positive, Rigorous, education and Communication ouTcomes
  - Capital letters signify acronym
- In July 2021, the Center's faculty hosted the 5th Annual Summer Institute on Inclusive Practices with the theme building and supporting inclusive communities
  - Virtual, 3-day conference with over 200 attendees from around the world
  - One of the keynote speakers was Jordan Zimmerman, who is an Augmentative and Alternate Communication user
- Information Dissemination – Kansas University Center for Developmental Disabilities Plain Language Team
  - This is a new effort
  - Dedicated to reviewing materials to make suggestions in support of Plain Language, ensuring that the content is more accessible for more readers
  - Employs tools and resources to target a reading level of 6<sup>th</sup> to 8<sup>th</sup> grade when possible
  - Consists of diverse members with a variety of lived experiences
  - Creates user friendly infographics for schools about their projects
  - Creates videos for schools in plain language
    - <https://youtu.be/m3MB9FdqTNU>
- Collaborations and Future Directions
  - How can we build our collaborations?
  - What can the Kansas University Center for Developmental Disabilities do for you?
  - What are key training, dissemination, and research needs in the community?
  - What can we do to better support your needs across Kansas?
  - Center websites and social media
    - <https://selfdetermination.ku.edu>
    - <https://kucdd.ku.edu/>
    - <https://www.facebook.com/ksucdd>
    - <https://www.youtube.com/@kucenterondevelopmentaldis1420>
    - Instagram handle @\_kucdd
    - X (formally known as Twitter) @KUCDD

### Updates from Bert Moore

- Cary Rogers is the consultant for the Dynamic Learning Maps, for alternate assessment for 1% and new this year is an alternate English Language Learners alternate assessment
- There is a legislative committee that will be meeting on October 9<sup>th</sup> to discuss policies
  - One question the committee has concerns about is behavior as students are telling teachers they cannot be disciplined because they have an Individualized Education Plan
  - The committee also wants to know if there are any polices that the Kansas Department of Education would like for the legislature to take into consideration
    - Specifically cannot include any funding



- Policies would be related to serving students with disabilities

### Update from Dean Zajic

- The Office of Special Education and Rehabilitation Services has approved a grant for Transition Coordination
  - Competitive grant for states that supports collaborative work amongst the centers for independent living in the state
    - Includes multiple state departments working together such as the Kansas Department of Education, the Kansas Department of Health and Environment and the Kansas Department of Children and Families
  - Grant purpose is to improve the quality of on the ground services to families and students in an effort to support secondary transition in a more effective way
  - Multi-year grant that runs through 2028
  - 2023 is a workup year that will include going through the initial periods of identifying the specific communities that are geographically and demographically diverse throughout the State

### Differentiated Monitoring Preparation

#### Brian Dempsey

- Currently one year out from our on-site visit with the Office of Special Education Programs. It will take place in September 2024
- Broken the next year into quarters to prepare for this visit, each with its own purpose
- First Quarter, now through the end of 2023
  - Internal Kansas State Department of Education critical self-assessment of our own website and our documentation
  - Currently have the National Center for Systemic Improvement, a National provider, that is looking at our website from an external perspective and going through the same protocols we are at the Kansas State Department of Education
  - The goal is for both website reviews to be completed by the end of November or early December and then there will be a comparison of what has been found
- Second Quarter starts in January and goes through March
  - Staff will be looking at documents that were identified in the website review that need to be updated
  - Begin working with stakeholders such as the Special Education Advisory Council, parents, and districts, and having conversations about the pending visit and what it may look like
- Third Quarter begins in April and runs through the end of summer
  - In April, the Office of Special Education Programs will send out a formal request for documents
  - In June or July, the Kansas Department of Education will be looking at scheduling mock interviews for employees using outside providers
- This will be a standing item on the Special Education Advisory Council agenda



## State Performance Plan- Indicator 4B

### Brian Dempsey

- Brian Dempsey's team at the Kansas Department of Education will be preparing for a large meeting in October with a lot of data on the Department of Education's indicators. By the end of November, they will have reviewed all of the data and indicators
- The January Special Education Advisory Council meeting will see the final review of the State Performance Plan before it is submitted by Kerry Haag to the Office of Special Education Programs at the end of January. The deadline for submission is February first
- Indicator 4: Suspension and Expulsion: Methodology for Determining Significant Discrepancy
- Indicator 4A – Percent of local education agencies that have a significant discrepancy, as defined by the State, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with Individual Education Plans
  - Results oriented
  - Target is set at 0.7%
- Indicator 4B – Percent of local education agencies that have: (a) a significant discrepancy, as defined by the State, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with Individual Education Plans; and (b) policies, procedures, or practices that contribute to the significant discrepancy, as defined by the State, and do not comply with requirements relating to the development and implementation of Individualized Education Programs, the use of positive behavioral interventions and supports, and procedural safeguards
  - Compliance based
  - Target will always be 0
- Methodology for Determining Significant Discrepancy
  - The Kansas Department of Education performs an analysis of aggregated data to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of all children with disabilities among local education agencies in the State
  - For each local education agency that meets the minimum n-size and cell size thresholds, the Kansas Department of Education compares the long-term suspension and expulsion of students with disabilities of the local education agency to the mean of the State's rate of long-term suspensions and expulsions for children with disabilities to set the suspension/expulsion rate bar
    - Minimum cell size: 0 (students suspended/expelled more than 10 days)
    - Minimum N-size: 30 (students with disabilities per district)
  - Annually, the Kansas Department of Education shall determine a significant discrepancy threshold by multiplying the mean of the State's rate of long-term suspensions and expulsions for children with disabilities by 3.0. Any local education agency that exceeds the annually calculated threshold shall be identified as significantly discrepant
- Indicator 4A Scenario
  - Step 1: Calculate the suspension/expulsion rate for children with disabilities for District 1
    - Children with disabilities suspended or expelled in District 1 divided by



- all children with disabilities in District 1
        - This example district has 24 students with disabilities who were suspended or expelled for more than 10 days. The district also has 110 students with disabilities
        - $(24/110) \times 100 = 21.8\%$
      - Step 2: Calculate the state mean suspension/expulsion rate for children with disabilities for State. State mean is the sum of the suspension/expulsion rates for children with disabilities for the entire state divided by the total number of districts in the state. This calculates the average suspension/expulsion rate for all districts across the state.
        - This example state has 42% of their district suspension rates for the state divided by the 700 districts in the example state. In this example, the average suspension/expulsion rate across the state is 6% (state average)
        - For example  $(0.42/700) \times 100 = 6\%$
      - Step 3: Use this comparison as a basis for determining Significant Discrepancy
        - District 1's suspension/expulsion rate for children with disabilities (21.8%) is more than three times higher than the state mean suspension/expulsion rate for children with disabilities (6%)
- Indicator 4B Scenario
  - Indicator 4B represents analyzing data disaggregated by race and ethnicity, to determine if significant discrepancies are occurring in the rate of long-term suspensions and expulsions of children with disabilities among local education agencies in the State
  - Step 1: Calculate the suspension/expulsion rate for Asian children with disabilities for District 1
    - Asian children with disabilities suspended/expelled in District 1 divided by Asian children with disabilities in District 1
    - For example:  $(15/30) \times 100 = 50\%$ 
      - This example district has 15 Asian students with disabilities who were suspended/expelled more than 10 days. The district also has 30 Asian students with disabilities
  - Step 2: Use this comparison as a basis for determining Significant Discrepancy
    - District 1's suspension/expulsion rate for Asian children with disabilities (50%) is more than three times higher than the state mean suspension/expulsion rate for Asian children with disabilities (10%). For Indicator 4B, the target is always 0% because this is a compliance indicator
  - Step 3: Calculate the state mean suspension/expulsion rate for Asian students with disabilities for the State. State mean rate is the sum of the suspension/expulsion rates for Asian students with disabilities for the entire state divided by the total number of rates calculated for the state. This calculates the average suspension/expulsion rate for all Asian students with disabilities across the state
    - For example:  $(471\%/47) \times 100 = 10\%$
    - In this example the state has 50% of their district suspension rates for



Asian students with disabilities divided by 47 districts in the calculation. The example state had 47 districts that met the state minimum. In this example, the average suspension/expulsion rate across the state is 10%, which is the state average

## Special Education Funding Task Force

Bert Moore

- One day scheduled, currently while they are in session
- They have three days they will have hearings
- 2 days will not be education related
- Kristey Williams wants to discuss special education funding
  - Looking at what other states are doing
  - How Kansas compares to those states
  - Discussion on whether 92% special education funding has been met or not
- There are 10 members
- It is believed the meeting will take place in January

## Kansas National Education Association

Idalia Shuman

- Supports educators from early career, or high school, through National Board Certification
- Will be hosting a regional conference for the newest round of research competitions
  - Regionals will be in Wichita
  - State conference will be at Ottaway University on February 7

## Council Ex-Officio Member Updates

- **Families Together** – Lesli Girard
  - Please check out our website
    - Modules for parents
    - Podcasts
    - YouTube channel
  - They have been hearing a lot about Part C to Part B transition
  - Please let parents know it is okay to reach out to Families Together
  - Between January and June there have been 2,270 individualized consultations and trainings
    - Breakdown of consultations by primary disability
      - Autism – 620
      - Emotional Disability – 337
      - Other Health Impairment- 336
      - Specific Learning Disability- 291
      - No IDEA Disability – 200
      - Developmental Delay – 131
      - Intellectual Disability – 89
      - NA – 89
      - Multiple Disabilities – 83
      - Speech or Language Impairment – 58



- Orthopedic Impairment – 44
- (Physical) Deaf-Hard of Hearing – 17
- Gifted – 22
- Visual Impairment and Blindless – 20
- Traumatic Brain Injury – 50
- Deaf Blindness – 3
- Breakdown by ethnicity
  - African American -11%
  - Asian -1%
  - Caucasian -70%
  - Hispanic- 11%
  - Native American -1%
  - Other -1%
  - 2 or more races- 1%
  - Not Determined -4%
- Breakdown by age
  - Birth through 2 years – 4%
  - 3 to 5 years – 15%
  - 6-13 years – 43%
  - 14-18 years – 32%
  - 19-21 years – 5%
  - 22 and over – 1%
- Breakdown by contact content
  - Individualized Education Plan – 920
  - Family Support – 496
  - Parent Rights – 362
  - Accommodations/Modifications – 582
  - Behavior plans – 431
  - Comprehensive Evaluation – 181
  - Transition to Adulthood – 228
  - Early Childhood – 98
  - Section 504 – 161
  - General Education Curriculum – 97
  - Program/Placement Options – 90
  - Disability – 131
  - Person Centered Planning (LifeCourse) – 137
  - Least restrictive environment – 116
  - Fair appropriate public education – 152
  - Mental Health – 75
  - Supported Decision Making and Self Advocacy – 230
  - Suspension/Expulsion – 104
  - General/Regular Education Interventions- 192
  - Sensory Needs -72
- Other topics of interest in consults
  - Gifted Services – 15



- Graduation – 20
- Employment – 16
- Bullying – 42
- Homeschooling – 11
- Covid 19 – 3
- Extended School Year – 20
- Infant Toddler Services – 9
- 18-21 Program – 24
- Homeless McKinney Vento – 3
- Emergency Safety Intervention – 28
- Formal Complaint – 108
  - Section 504 – 18
- Guardianship – 25
- Transition Part C to Part B – 20
- Multi-Tiered Systems of Support – 27
- Mental Health – 86
  - Independent Education Evaluation -40
- Education Advocate Update
  - January 2023
    - 72 appointments
    - 92 cancellations
      - 50 final (services no longer needed)
  - February 2023
    - 80 appointments
    - 56 cancellations
      - 24 final
  - March 2023
    - 83 appointments
    - 85 cancellations
      - 38 final
  - April 2023
    - 63 appointments
    - 39 cancellations
      - 11 final
  - May 2023
    - 33 appointments
    - 52 cancellations
      - 41 final
  - June 2023
    - 18 appointments
    - 34 cancellations
      - 16 final
- **Kansas Association of Special Education Administrators (KASEA) – Ashley Enz**
  - Currently doing a large membership push
    - Membership is continuing to rise



- Website has been revised
- Calendar of Events
  - Kansas Association of Special education Administrators Executive Board Meeting is October 2<sup>nd</sup> at 2pm until 3pm
  - Membership Meeting on October 16<sup>th</sup> from 3:30pm to 4:30pm
  - Winter Conference is February 20<sup>th</sup> and 21<sup>st</sup> in Wichita at the Drury Hotel
- **Disability Rights Center – Mike Burgess**
  - Hoping to see some movement in supported employment rates
    - Large barrier in pursuing competitive, integrated employment opportunities for adults and students with disabilities
    - Kansas has the Lowest supported employment rate in the United States
  - Kansas Department for Aging and Disability Services received a grant which allowed them to increase technical resources and provide work groups
    - Trying to generate actionable recommendations for the Department to be able to make improvements
  - Kansas Department for Aging and Disability Services is helping Kansas add a disability preference opportunity for competitive integrated employment
  - Participated in the Transition Transformers group
    - Some legislators are involved
  - Continued work around the community supports waiver
    - The intellectual disability waiver waiting list is 10.5 years long
    - Advocating for support building and to address capacity to reduce both the intellectual disability waiting list and the physical disability waiting list by creating waiver slots
  - Unwinding the public health emergency
    - Medicaid did not do annual reviews during COVID
    - Those were starting to ramp up, but there were some things out of compliance, so Medicaid shut it down again after the first month
    - Some situations let individuals automatically be eligible for services, however, with this situation there are now 170 people that suddenly lost their services
  - The Kansas Department for Aging and Disability Services have created a transition planning app where a student can fill out their information and create a draft transition plan that they can then take to their Individualized Education Plan meeting
  - I Decide Kansas is a micro site that was created with information on the alternatives to guardianship
    - [I Decide — Supported Decision Making \(idecidekansas.org\)](http://idecidekansas.org)
- **Kansas State Board of Education (KSBOE) Update – Jim McNiece**
  - Next year are elections for the State Board of Education
    - Jim McNiece will not be running
- **Kansas State School for the Blind – Jon Harding**
  - Changing some programs and revitalizing what the School does
  - Small campus with approximately 50 students
  - Short term intensive placement option for school districts



- 800 students within Kansas receive services from our school predominately with our outreach teams
- There are over 1,500 kids in the State of Kansas from birth to age 21 who have enough vision loss it effects their education
- Provide services to over 100 of the 286 school districts in Kansas
- New program between the State School for the Blind and the Kansas Department of Health and Environment to bring services to infants and toddlers up to age 3
  - 7 teachers and 1 coordinator
  - Completely free
- Current field services serve students from age 3 to 21 years of age.
  - Direct services
    - Braille instruction
    - Attending Individual Education Plan meetings
- Offer trainings for regular education teachers
- Vision Symposium in Wichita on October 27<sup>th</sup>
- Meaningful activities for students
  - STEM equipment stations where general education students can learn about blindness
  - Make 48 partnership to do inventors competitions on campus. There is national competition in November that will be televised on Maker Space Channel and students from the School for the Blind will be there
  - Blind Sports is another activity that is being tried out. The goal is how to make physical fitness activities accessible for all kids with disabilities. Looking at blind soccer
- First School for the Blind to build an accessible computer science program for students who are blind or low vision
  - Made in conjunction with Microsoft Philanthropies Technology Education and Learning Support Program
- Braille Bean Coffee: Best Coffee Never Seen
- **Kansas State School for the Deaf** – Luanne Barron
  - No Report

### Other Updates:

### Special Education Advisory Council Meeting Dates 2023-2024

November 30, 2023

9 AM – 3 PM

Bishop Educational Center/Zoom

### Closing Comments

Items for Next meeting

- Contact Bert with any new items
- Will bring back Indicator 4B and ask SEAC to take action on
- Transition Grant update
- Tristate Law Conference update
- Data on special education students in virtual schools and the difficulties the students



and districts are facing

- What does service delivery look like?
- Hybrid options? ½ day virtual and ½ day in school
- Hybrid virtual schools
- Kids on Medicaid having to requalify, where is that process at in the State of Kansas

**Action:** Motion to Adjourn meeting

**Motion to Adjourn:** Lindsey Graf

**Motion seconded:** Jose Gornejo

**Meeting adjourned:** at 2:12 pm

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