

The East Central Kansas Cooperative in Education Procedural Handbook

Revised June 2020

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**ECKCE # 614
SPECIAL SERVICES DEPARTMENT
PROCEDURE HANDBOOK INTRODUCTION**

INTERLOCAL GOVERNANCE

The East Central Kansas Cooperative in Education, Interlocal #614, is responsible for providing Special Education services to exceptional students in three Unified School Districts located in Douglas, Franklin, Johnson, Leavenworth, and Miami counties, namely USD #348 Baldwin City, USD #289 Wellsville and USD #491 Eudora. The East Central Kansas Cooperative in Education is in fact by definition an interlocal, not a cooperative, inasmuch as there is no sponsoring district that provides governance. The Interlocal is governed by a six-member Board of Directors, comprised of two board members from each participating school district. The Board meets monthly to establish policy and oversee the operation of the Interlocal. It functions with all the rights and authority of a school district with the exception of the authority to levy taxes. Regularly scheduled Board meetings are held on the second Tuesday of each month.

The Director of the Interlocal is the chief executive officer of the Board. All matter of control, instructional policy, and the execution of Board policies will be carried out through the Director as the agent of the Board of Directors, Inter-Local District #614.

Board of Directors

Director

Clerk of the Board

Staff/Secretary/Board Treasurer

Certified Staff
Para-educators

Interested individuals may obtain copies of the Interlocal Agreement and this handbook for examination from the Interlocal Office. This handbook, in conjunction with Board of Education Policies and Federal and State Laws concerning Special Education, includes operating policies and procedures for the Special Services Department. Updates will occur, as they become available. Consistency is very important to any successful program. Please adhere to these policies and procedures.

This handbook serves as a procedural manual for the Interlocal, including employee policies and supervision. As a condition of employment, employees are expected to follow all published policies, rules, regulations and administrative guidelines approved by the Board. All staff members are expected to become familiar with this handbook as well as the district's policies for the district they serve. Questions not answered by this handbook should be addressed to the Interlocal Director.

GENERAL PHILOSOPHICAL STATEMENT

We believe that every individual has a right to learning experiences suited to his/her abilities. The purpose of these learning experiences is to develop basic academic and interpersonal skills toward an increasing knowledge of self and an increasing ability to respond effectively to an ever-changing, technical and multi-cultural society.

We accept that each child is a unique person who learns at a different pace, who has developed personal and varied learning styles, and who needs successful experiences relevant to his/her life. Our approach must be flexible and diverse. We constantly seek better ways to teach all students, especially when they become unresponsive to traditional curricula.

It is our obligation to interpret and model for our students the kind of behavior that will make it possible for them to keep their self-identity and to accept group responsibility. We believe consistent, realistic expectations, communicated effectively to the child, will help build a relationship of mutual respect.

We need and actively seek to utilize home and community support, understanding, and assistance in creating and maintaining a quality educational experience for all students.

CONFIDENTIALITY STATEMENT

We are entrusted with information about students that is not generally known. Only those individuals with an educational reason to know should have access to this information.

Special care should be taken to keep student information in a secure location. No personally identifiable information should be left where non-authorized individuals can see it.

Such information should not be the topic of idle conversation nor should it be discussed where it might be over heard. (This means home, church, in a restaurant, with friends, etc...)

Care should be exercised at all times in keeping confidential information
CONFIDENTIAL!

GUIDING BELIEFS AND PRACTICES

- All children can learn. Educational decisions must be based on what is in the best interest of each child.
- ECKCE follows and complies with the laws and regulations regarding the education of children with disabilities contained in state and federal laws and regulations (IDEA).
- Children with disabilities are entitled to a free appropriate public education (FAPE).
- Students should be educated in what has been determined to be their Least Restrictive Environment (LRE), thus a continuum of services is available.
- Students learn best when educated with their peers to the greatest extent possible. Highly qualified teachers in the general education classroom provide appropriate instruction in core content. Students learn from each other, as well, and incidental learning is often an added bonus for children with disabilities when they are in the general education environment.
- ECKCE is currently in the implementation phase of Multi-Tiered System of Support (MTSS). Through the MTSS process, early interventions appropriately meet the needs of individual students.
- Intervention and IEP teams use a problem-solving model to develop plans to meet the needs of students.
- Data should be used to drive decisions made by intervention and IEP teams.
- All students on IEPs take state assessments appropriate to their individual needs as determined by the IEP team.
- Transition services are provided to all students 14 and older to ensure they become more employable and are able to live as independently as possible. Community based work/ study opportunities are provided as appropriate.
- Teachers are encouraged to attend professional development opportunities that include all teachers, as well as those opportunities that are specific to areas within Special Education.
- Teachers new to the profession or new to the district are provided a mentor teacher within the Special Education Department.
- A web-based IEP system is used to assist staff with writing and maintaining IEPs for students.
- IEP goals should be standards based.

EXPECTATIONS OF TEACHER **(Including, but not limited to...)**

- Work effectively with others towards common goals.
- Maintain a professional image.
- Maintain a positive attitude.
- Treat everyone with dignity and respect.
- Advocate for your students.
- Provide a positive classroom climate, conducive to learning.
- Maintain and communicate expectations for student learning and behavior.
- Prepare lessons that meet state standards, and utilize a wide variety of research based materials that appeal to students' unique and varied learning styles.
- Use a variety of teaching strategies that are appropriate to learners, objectives and content.
- Plan varied and effective educational experiences that reinforce and build on past learning promote and facilitate present learning, and encourage future learning.
- Establish and maintain learner involvement/engagement in learning tasks.
- Maximize time students spend on task.
- Monitor task completion so no student is permitted to "coast" to failure.
- Provide opportunities for application of knowledge and skills to practical and "real life" situations.
- Assess student performance often and in an authentic way.
- Evaluate teaching effectiveness in terms of student performance.
- Support and reinforce the learning experiences conducted by colleagues.
- Communicate student progress to parents OFTEN and also required.
- Support the district's overall education program.
- Obtain and maintain appropriate KSDE licensure/endorsement for the student population assigned

BOARD PROCEDURES/GUIDELINES

AUTHORITY OF MEMBERS

Board members shall have authority only when acting as a Board regularly in session or when empowered by Board action to act as a committee.

POWERS AND RESPONSIBILITIES

The Board functions with all the rights and authority of a school district, with the exception of the authority to levy taxes. The Interlocal, through its Board of Directors, may exercise the powers and duties as set forth in K.S.A. 72-8230.

MAJOR DUTIES OF THE BOARD SHALL INCLUDE

- Formulation of policies that provide for the local control of the Interlocal in compliance with federal and state statutes and regulations.
- Approval of the annual budget, financial expenditures, and salaries.
- Selection of a Director and approval of employment of all other personnel. Administrative duties shall be delegated to the Interlocal Director.
- Direction and approval of educational programs and materials.
- Direction and consideration of reports prepared by the Director or staff regarding student performance, educational programming, and facilities.

OFFICERS OF THE BOARD

The officers of the Board of Directors are a president and a vice president to be elected at the July meeting. The Board officers shall be members of the Board of Directors and shall serve one-year terms.

The president of the Board shall preside at all meetings of the Board of Directors and shall sign all warrants ordered by the Board to be drawn upon the funds of the interlocal, all contracts and other documents as necessary.

The vice president shall perform such duties of the president when the latter is not able to be present.

At its regular July meeting, the Board shall appoint a clerk and a treasurer for the term of one year, who shall not be members of the Board and who shall furnish bond as required by law.

The Clerk shall attend all Board meetings, keeping an accurate journal of the proceedings. He/she shall be responsible for the care and custody of records and documents and make them available for inspection to the Board and the public, and provide other duties as directed by the Board and the Director.

The treasurer shall deposit all monies of the interlocal in accordance with the provisions of Chapter 9, Article 14 of the Kansas Statutes Annotated. The treasurer will maintain an accurate accounting of all funds and financial transactions, prepare payroll, countersign all checks as directed by the Board. The treasurer shall also prepare a written report monthly of the finances of the interlocal and shall prepare such other reports as are required by the Board or by law.

MEETINGS

The Board of Directors shall meet monthly. During the July meeting, the Board shall adopt a resolution specifying the regular meeting place and time, providing for an alternate date should the regular date fall on a legal holiday. The Board may specify that any regular meeting may be adjourned to another time and place. Any Board member may designate a proxy from their respective district's board to serve in the event they will be unable to attend. A majority of four Board members shall be necessary at all meetings to constitute a quorum for the purpose of conducting any business.

SPECIAL MEETINGS

Special meetings may be called at any time by the Board president or by the joint action of three (3) members of the Board. Written notice stating the time, place, and purpose for which it is called shall be given each Board member at least 48 hours in advance of the meeting unless such notice is waived. No other business shall be transacted other than that stated in the notice. The general public shall be invited to attend all Board meetings, except executive sessions.

PUBLIC PARTICIPATION

The general public shall be invited to attend all Board meetings except executive sessions. Persons wishing to speak to the Board shall first notify the Director or Board Clerk a week prior to the meeting and state the reason(s) for the request in order to be placed on the agenda.

At each meeting, the president may, at his/her discretion, ask patrons in attendance if any of them have something to bring to the attention of the Board. The Board president may impose a time limit or ask groups with the same interest to appoint a spokes person. If it appears that the matter will consume too much time, the Board shall invite the visitor to return at a regular or special meeting.

EXECUTIVE SESSIONS

The Board shall conduct executive sessions only as provided by law. A motion to go into executive session will indicate the purpose of the session, the time the Board will return to open meeting and the statutorily approved reason for executive session, which shall be one of the following:

- Personnel matters for non-elected personnel;
- Consultation with an attorney for the body or agency which would be deemed privileged in attorney-client relationship;
- Matters relating to employer-employee negotiations whether or not in consultation with the representative or representative of the body or agency;
- Confidential data relating to financial affairs or trade secrets corporations, partnerships, trusts, and individual proprietorships; except that any person shall have the right to a public hearing if requested by that person;
- Preliminary discussion relating to the acquisition of real property.
- No binding action shall be taken during executive sessions.

ORDER OF BUSINESS

An agenda shall be prepared by the Director for all regular Board meetings and delivered to Board members prior to the meeting time. The president may change the order of the agenda items if deemed necessary. The Board may, by motion; add or omit others items for consideration to the agenda; except at special meetings. The order of business at regular meetings shall generally be as follows:

Call to Order, Approval of Agenda, Approval of Minutes of Previous Meeting(s), Financial Report and Approval of Bills, Old Business, New Business, Director's Reports, and Adjournment.

VOTING

The vote of a majority of the full membership of the Board shall be required for the passage of any motion or resolution. The minutes shall indicate whether a motion passed or failed. Each Board member shall have the privilege of explaining his/her vote for the record.

Any abstaining vote shall be counted as a "no" vote. (KSA 22-8205)

Any member may declare a conflict of interest in a particular issue and shall leave the meeting until the matter is concluded. The minutes shall reflect the fact a particular member has declared a conflict of interest and left. The order of business at regular meetings shall generally follow:

MINUTES

A clear and accurate record of Board actions will be reflected in the minutes. Such minutes shall constitute the official record of proceedings and shall be open to public inspection. A copy of the minutes shall be sent to each Board member prior to the next meeting. Following Board approval, the Board Clerk will maintain an official copy in an official record book.

The Clerk shall serve as the custodian of records and shall make all public records open for inspection or copying. All requests shall be submitted to the Clerk during business hours and shall be acted on in a timely manner. Charges for copying may be assessed if multiple copies are requested.

REIMBURSEMENTS

Board members shall be reimbursed for expenses incurred in fulfilling their duties, outside of their normal meetings; Board members who provide their own transportation shall be reimbursed for each mile traveled in attending meetings and in the performance of Interlocal business, other than regular board meetings. Board members shall submit receipts to the Clerk of the Board for reimbursement of expenses they have incurred.

ATTORNEY

The Board shall retain a qualified attorney through KASB to handle all legal matters referred to him/her by the Board when deemed appropriate.

DEPOSITORY OF FUNDS

The Board shall designate, by official action recorded in its minutes, the state and national banks; trust

companies; and savings and loan companies, which shall serve as depositories for school district funds for each fiscal year. The Board treasurer shall deposit funds only in such designated banks, trust companies, and savings and loan companies.

CONDITIONS OF LICENSED PERSONNEL

The following items must be filed, with the Clerk of the Board, as part of the conditions of employment:

Valid Kansas teaching certificate or endorsement by the State Department of Education for the assigned position (required by KAR 72-1390 prior to the initiation of salary).

- Copy of complete college transcripts
- W-4 federal withholding form
- Health certificate
- Copies for identification (birth, marriage certificate) Copy of social security card
- Loyalty oath
- KPERs enrollment form
- I-9 form

HEALTH EXAMINATION

All new certified employees should have a health examination on file in the Interlocal office before the first day of school. Health records must include results of an intra-dermal tuberculin tester X-ray at the time of initial employment.

CONTINUING CONTRACT

In accordance with the Kansas continuing contract law, the Inter-local Board shall give written notice, through the Director of the Interlocal by the third Friday in May, if the Board does not intend to renew the teacher's contract for the next school year.

Certified person can be released from a contract on the recommendation of the Director of the East Central Kansas Cooperative in Education and the approval of the Board. However, a person desiring such a release must present in writing to the Board a statement giving reasons for requesting such a release thirty days prior to the date of such release.

If the teacher's resignation is submitted between the statutory deadline for resignations set forth in K.S.A. 72-5437 and June 30th, a \$500.00 penalty will be assessed; between July 1st and July 31st, a \$1,000 assessment; between August 1st and August 15th a \$2,000 assessment; and after the school year begins, a \$4,000 assessment. Upon receipt of the appropriate fee, the Board may accept the teacher's resignation. If the Board does not accept the resignation, the penalty fee will be returned to the teacher and the teacher shall abide by the present contract. The penalties outlined will be waived by the Board if one of the following situations caused the employee's resignation:

- a. Relocation of the employee's spouse's job,
- b. Illness of an employee or employee's immediate family member,

- c. Death of an employee's immediate family member,
- d. Reassignment to a different school district that occurs after the statutory deadline for resignations, or
- e. Any other circumstance that the Board may deem appropriate.

REDUCTION IN FORCE

In response to the changing educational needs of the population served by the Interlocal, the Board of Directors may determine it necessary to reduce staff. In the event that such reductions are warranted, the first attempt to correct the surplus will be by not filling positions vacated through staff resignations. Should attrition rates not resolve the need, the following criteria will be considered in making further reductions:

- job performance as determined by administrative evaluations
- experience in the teaching position/field
- certification in teaching various levels (K-12) and handicaps (LD, BD, etc.)
- other items the Board considers to be noteworthy regarding a position

Any employee discharged due to a reduction in force shall retain recall rights for a period not to exceed two (2) years from the date of nonrenewal. The Board shall annually provide the Association with a current list of those who have retained recall rights. Employees eligible for recall are required to notify the Interlocal of their current address. No employee will lose his/her recall rights if he/she secures other employment prior to recall. The Director will recommend to the board reinstatement of any employee he/she deems qualified and able to serve the best interests of the Interlocal. Should an employee refuse recall to a position, they will forfeit any future rights to be recalled to employment in the Interlocal. The employee shall have the right to file a grievance if it appears that an individual's recall rights have been violated.

PAYMENT OF SALARY

The East Central Kansas Cooperative in Education has designated the last business day of each month as the pay date. Summer checks are available in one payment or in three monthly checks. Employees who elect to receive their summer checks in a lump sum must notify the Clerk of the Board in writing by April 1.

Employees may elect to pay a determined amount toward the purchase of health, life, salary protection, dental, cancer, or other insurance under Section 125 Cafeteria Plan, or they may elect to enroll in a tax-deferred annuity program to be deducted from their salary.

PAYROLL DEDUCTIONS

Interlocal employees may elect to have payroll deductions, in addition to the supplemental amount, applied to their insurance premiums or annuity contributions. Arrangements must be made through the Clerk by the second week in September. A minimum of five employees must elect a particular company in order to retain their services.

REIMBURSEMENT FOR CONTINUING EDUCATION

Employees shall be reimbursed for all expenses incurred in the pursuit of in-service, professional development

training and college course work, up to a maximum of \$150 per contract year. Such reimbursement shall be made to the employee within thirty (30) days of presentation of receipts to the employer and/or proof of completed training or college credits.

KANSAS PUBLIC EMPLOYEES SYSTEM: KPERS

All teachers entering the school service in Kansas are required to participate in the Kansas Public Employee's Retirement System. Six percent of the employee's salary must be deducted and submitted to the system. As years of experience are accumulated, the State makes a matching contribution to the account. An employee's contributions may be withdrawn if he/she leaves the Kansas School Service.

RETIREMENT

No certified employee of the East Central Kansas Cooperative in Education shall be forced to retire before the age of 70 without just cause; and it shall be at the discretion of the Board to continue the employment on a year-to-year basis beyond the age of 70. Retirement before age 70 shall be at the discretion of the employee.

MILEAGE REIMBURSEMENT

Employees who travel within the perimeters of the Interlocal in order to provide services to students shall be reimbursed at the amount stipulated by the Federal Government. Mileage will be computed from the staff member's home base school to other schools served and back to the home base school. Staff members should submit appropriate forms to the Interlocal office by the 5th day of each month. Reimbursement will be made following each regularly scheduled monthly Board meeting.

SCHOOL-DAY TEACHER DUTY

Each teacher assigned to a single district will schedule himself/ herself according to that district's calendar. Staff personnel who serve more than one district are required to submit a schedule to the staff secretary at the ECKCE Central Office who will then compile a Directory of schedules to be distributed to the schools served. The times in which these individuals will report to work should be worked out between the building principal and the staff member. If there is a question concerning itinerant personnel as to the time they should report and the time they may leave, the ECKCE schedule will be 8:00 - 4:00.

SCHOOL CANCELLATIONS

Staff personnel who are assigned to only one district will follow the district's calendar for holidays. In the event that districts are not following the same vacation schedule, itinerant staff shall work out a comparable proposal for individual vacation time with building administrators and submit it to the Interlocal Director for final approval.

If school is cancelled staff members who serve one district shall follow that district's schedule for make-up days. Interlocal personnel should make arrangements to be notified by someone within each district in the event of a school closing. Individuals who serve more than one district on the day(s) that school may be cancelled must still report to any district, which continues to have school in session or have the absence deducted from personal leave days.

EXTRA CURRICULAR ACTIVITIES

Extra curricular activities are considered a normal part of a teacher's work, and Interlocal staff members are

encouraged to participate in such activities in the schools they serve. Because of the uniqueness of the Interlocal situation, there may be some question as to what constitutes an extra curricular activity. Each staff member is encouraged to work out any extra assignments to fulfill with the building principal. Please be advised, however, that this refers to after-school hours activities. Because all employees of the Interlocal are compensated using federal IDEA VI-B funds, they must be engaged in activities that support students qualified under IDEA, i.e. students with disabilities. Any deviation from this must be acknowledged through a federal time and effort log and must be arranged with the Director prior to the activity.

EXTENDED SCHOOL YEAR

Employees hired to provide Extended School Year services will be compensated at a rate of \$35 per hour. In addition, a total of up to four (4) hours of paid preparatory time will be provided to employees prior to or after the time they are expected to begin providing Extended School Year services to students.

LEAVE POLICY

All full time certified teachers shall be entitled to twelve (12) days or 96 hours of discretionary leave on full pay during each school year. Discretionary leave can be accumulated to 65 days plus the (12) days of the current year. Any request for maternity leave shall be approved as discretionary leave. Employees may use accumulated discretionary leave from prior year(s) plus any unused discretionary leave for the current year toward sick leave or maternity leave.

All remaining will be unpaid days. An extension past sixty-five (65) days may be granted by receipt of a physician's statement of physical disability or complications, which would preclude the staff member from working after the sixty-five day period. The physician's statement will specify the complications barring the individual from working and the projected length of convalescence.

Should an employee not use their full allotment of Discretionary Leave by the conclusion of any contract year, they shall inform the Interlocal by April 1 of their intent to either:

- i. allow their remaining discretionary days to accumulate in a special sick leave account under the teacher's name, such accumulation not to exceed sixty-five (65) days. This leave shall be available for the individual teacher's future use in any instance whereby the current "twelve day" leave is exhausted. Or,
- ii. receive \$40 per unused day in exchange for returning those unused days to the Interlocal.

When an employee leaves employment with the Interlocal due to retirement through KPERS or death, the employee or the employee's beneficiary will receive compensation for any unused accumulated leave at a rate of \$40 per day.

An employee may also participate in the NEA 614 Sick Leave Pool upon application to the NEA 614 administration committee. Details of the pool can be found in the negotiated agreement.

An employee may use up to three (3) days of paid leave (not charged to Discretionary Leave) on the occasion of a death in the employee's immediate family. Use of Bereavement Leave in excess of three (3) days or for individuals not included in the definition of immediate family shall be charged to Discretionary Leave. A maximum of two (2) days per contract year, not to be charged to the individual employee's Discretionary Leave, may be used by each employee for his/her professional improvement. Professional improvement days may be used for any educational purpose at the discretion of the employee. The employee planning to use

professional improvement days shall notify the Director and his/her building administrator at least one (1) week in advance of his/her absence.

MENTOR PROGRAM FOR NEW EMPLOYEES

A mentoring program will be jointly developed and maintained by the Director and employees appointed by the Association. The content of this program will be subject to approval by the Board.

Employees newly hired by the Interlocal who have two (2) or less years of previous employment experience in public schools shall be assigned a mentor by the Director during each of their first two (2) years of employment. Employees newly hired by the Interlocal with three (3) or more years of previous employment experience in public schools may be assigned a mentor at the Director's discretion. Mentors and mentees shall be from like job classifications whenever possible. Employees have the right to decline the Director's request to serve as a mentor.

Employees serving as a mentor to newly hired employees with two (2) or less years of previous employment experience in public schools shall be compensated \$1,000 per mentee during year one (1) and \$750 during year two (2). Employees serving as a mentor to newly hired employees with three (3) or more years of previous employment experience in public schools shall be compensated \$500 per mentee.

DUE PROCESS FOR LICENSED AND CERTIFIED STAFF

Employee discipline

1. The parties recognize the right of the administration and the board to discipline its employees. Discipline shall be progressive and shall be for good cause. "Good cause" is defined as any reason put forward by the administration or board in good faith and which is not arbitrary, irrational, or irrelevant to the board's task of building up and maintaining an efficient school system. Disciplinary actions will be commensurate with the infraction. Employees shall not be disciplined or reprimanded in the presence of students, parents, other employees or at public gatherings.

2. Discipline procedures will include, but are not limited to, oral and written warnings and reprimands, suspensions with or without pay, discharge and non-renewal as deemed appropriate by the administrator imposing the discipline.

3. If an employee is to be subject to discipline, the following procedures shall apply:

a. The employee shall be provided notice of the proposed discipline and specific cause for the disciplinary action prior to the imposition thereof.

b. The employee shall have the right to meet with the administrator proposing the disciplinary action.

c. The employee shall have the right to respond in writing to the proposed discipline.

d. The employee shall have the right to have a representative assist in the discipline process. However, given the confidential nature of the process, the teacher must provide a written release naming the representative and authorizing such participation.

- e. The employee may grieve failure to follow these procedures.

Complaint procedure

1. When a complaint is registered against an employee that is deemed serious enough to be reduced to writing and either placed in the teacher's file and/or used in an evaluation, reprimand or any other action, it shall be called to the employee's attention. The employee shall have the opportunity to meet with the administrator investigating the complaint prior to any final determination of action to be taken. The employee shall have the right to respond to complaints in writing.

Grievance procedure

1. Purpose

The purpose of this procedure is to secure, at the lowest possible level, equitable solutions to the problems affecting employees, which may arise from time to time.

2. Procedure

a. Level One

The aggrieved person shall seek to resolve the grievance informally with his/her principal or other immediate supervisor.

b. Level Two

If the aggrieved person is not satisfied with the disposition of his/her grievance at Level One, or if no decision has been rendered within five (5) days after discussion of the grievance, he/she may file the grievance in writing with the school principal within ten (10) days of the Level One response. The grievance form can be found in Appendix C of this Agreement.

ii. Within five (5) school days after receipt of the written grievance by the principal, the principal will meet with the aggrieved person in an effort to resolve it. The principal shall submit his/her decision in writing to the aggrieved person within five (5) days after the meeting.

c. Level Three

i. If the aggrieved person is not satisfied with the disposition of his/her grievance at Level Two, he/she may file the written grievance within ten (10) days of the Level Two response with the Director or his/her designee.

ii. Within five (5) days after receipt of the written grievance, the Director or his/her designee will meet with the aggrieved person in an effort to resolve it. The Director shall submit his/her decision in writing to the aggrieved person within five (5) days of the meeting.

d. Level Four

i. If the aggrieved person is not satisfied with the disposition of his/her grievance at Level Three, he/she may file the written grievance within ten (10) days of the Level Three response with the Board.

ii. Within five (5) days after receipt of the written grievance, the Board will meet with the aggrieved person in an effort to resolve it. The Board shall submit its decision in writing to the aggrieved person within five (5) days of the meeting.

3. Miscellaneous

- a. An aggrieved person may request to have a representative of their choosing assist and/or accompany him/her at any level of the grievance procedure.
- b. The number of days indicated at each level should be considered as a maximum and every effort should be made to expedite the process. The time limits specified may, however, be extended by mutual consent.
- c. In the event a grievance is filed at such time that it cannot be processed through all the steps in this grievance procedure by the end of the school year, the days shall be those days during which the Interlocal office is open for business.
- d. If the Board or any of its administrative staff do not present a written decision within the time allotted after the grievance hearing, such failure to act shall be an admission that the grievance was justified and the aggrieved person shall receive the remedy sought.
- e. Decisions rendered at Levels Two, Three and Four of the grievance procedure will be in writing, setting forth the decision and the reasons therefore, and will be transmitted promptly to all parties in interest.
- f. When it is necessary to investigate a grievance or attend a grievance meeting or hearing during the school day, the aggrieved employee will, upon notice to the principal or immediate supervisor, be released without loss of pay. Any employee whose appearance in such investigations, meetings or hearings as a witness is necessary will be accorded the same right.
- g. All documents, communication and records dealing with the processing of a grievance will be filed in a separate grievance file and will not be kept in the personnel file of any of the participants.
- h. No reprisals of any kind will be taken by the Board or administration against any participant in the grievance procedure by reason of such participation.

IN-SERVICE

All staff members are encouraged to be members of an organization and to attend professional meetings relating to their field of expertise. In addition, at the discretion of the Director, the Board may provide staff development opportunities in excess of this allotment.

Staff members are limited to three days per year, which would cause them to be out of the classroom with the exception of in-service activities required by the Interlocal or by the Kansas State Department of Education. Any exception to the three-day limitation would require administrative approval.

A maximum of 120 hours of in-service credit points may be used.

Requests for professional leave must be signed by the building principal(s) and submitted to the District Committee.

EVALUATION OF LICENSED/ CERTIFIED STAFF

Special education teachers and early childhood special education teachers assigned to a single school district will be evaluated using the evaluation procedure delineated in the Negotiated Agreement for employees of that school district.

Any employee not included in subsection 1 of this provision will be evaluated using the procedure delineated below.

- a. The Director or building administrator will evaluate certified staff, at least twice per year for the first three (3) years of employment and once per year during the fourth year according to K.S.A. 72-9001. After the fourth year of employment, certified staff will be formally evaluated every three (3) years and informally evaluated in intervening years.
- b. Informal evaluations shall consist of a brief observation followed by a conference with the Director to draft a professional growth plan. Either the employee or the Director has the option to request more frequent or more formal evaluations.
- c. Prior to formal evaluation, the Director or building administrator will contact the employee to schedule a time for observation. Data concerning job performance is gathered from building administrators and the Director. Various forms may be used to gather pertinent data. Additionally, persons being evaluated shall have an opportunity to participate in their evaluations and shall be afforded the opportunity for self-evaluation.
- d. Summary evaluation conferences shall be held following the data collection process and observations. The purpose of this conference will be to review the data, to identify areas deserving of commendation and/or in need of remediation, and to plan strategies to address these areas. The evaluation conference summary sheet shall be completed and signed by the employee and the Director.
- e. The employee shall be provided a copy of the evaluation summary and may choose to respond to the evaluation in writing in cases where the administrator and employee have a difference of opinion. Such response will be attached to the summary sheet, which shall be a matter of record and filed as part of the employee's personnel record.
- f. Following an evaluation, should the evaluator deem the employee's job performance to be below expectations, the employee and evaluator shall meet in conference to review areas of concern. If the employee believes that an evaluation was made with insufficient information, the employee shall be given the opportunity to present evidence of quality performance. During this conference, the evaluator may a) amend the original document to show that the evaluation is changed or b) proceed with the development of a professional growth plan as indicated below.
- g. After the employee/evaluator conference has been held, any employee continuing to perform below expectations shall be required to develop, in cooperation with the evaluator, a professional growth plan. The plan shall include professional goals that are specific, measurable, and specifically address the areas of concern. The plan may include, but not be limited to, peer assistance, visitations to classrooms of other employees, in-service, observations, assistance and/or materials provided by the evaluator.
- h. Within thirty (30) school days of the planning conference, a follow-up conference will be held. If sufficient progress has been made on the areas of concern, the evaluator will document such improvement and attach an amendment to the original evaluation noting that the employee has improved in the areas of concern.
- i. If sufficient progress is not noted, the employee will continue to work toward improvement in the areas of concern. A Professional Growth Plan may be revised by the employee and evaluator as often as necessary.
- j. Evaluations shall be kept on file during the time the individual is employed by the Interlocal.
- k. Persons authorized to have access to evaluation documents shall be limited to those provided for in K.S.A. 72-9005.
- l. The contract of an employee shall not be non-renewed on the basis of incompetence unless an evaluation of the employee has been made prior to notice on non-renewal of the contract and unless the evaluation is in substantial compliance with the Board's policy of personnel evaluation procedure as filed with the State Board of Education.

PROGRAMS AVAILABLE THROUGH ECKCE SPECIAL SERVICES

ECKCE has programs to serve students from age 3 through either graduation or age 21. *****Please note that movement in or out of any of these programs constitutes a change of placement and requires a reevaluation and parent agreement on a Prior Written Notice for Identification, Special Education and Related Services, Educational Placement, Change in Services, Change in Placement and Request for Consent.*****

A. CHILD FIND

ECKCE Special Services has a responsibility to serve all students in the district with special needs. ECKCE publishes child find information in the local newspapers and on the district's public website. Brochures will be placed throughout the community.

B. EARLY CHILDHOOD SPECIAL EDUCATION

The Individuals with Disabilities Education Act (IDEA) provides services for children with disabilities from ages 3-5 years. In Kansas, children may receive Early Childhood Special Education (ECSE) services if they are eligible. Interlocal #614 publishes child find notices on the ECKCE website and on individual districts' public websites.

To be eligible for services, preschool-aged children ages 3-5 must have a delay in one or more areas of development. These areas are:

- ❖ Cognitive development (thinking and learning)
- ❖ Adaptive development (self-help skills)
- ❖ Communication (hearing, speaking, language skills)
- ❖ Motor (large and small motor development)
- ❖ Social-emotional development

Referral Process

Preschool-aged children may be referred for ECSE services in two ways.

1. Transition from the Infant-Toddler Services Provider:
 - Transition meeting (including parent(s), Infant/Toddler staff, and Early Childhood staff) is held 90 days before child turns 3 years to transition to Early Childhood.
 - Team will determine whether evaluation/services are needed.
2. Screening to determine if an evaluation is needed:
 - Early Childhood screenings are conducted monthly. Once screening is complete, parents will be notified of the results in writing.
 - After the screening, if the student **does not pass**, parents are notified and the child is then scheduled for a comprehensive evaluation conducted by the ECSE staff to determine if the child meets eligibility criteria for special education and related services.

Evaluation

Prior to the evaluation, a consent for evaluation will be signed and parental rights provided. The multi-disciplinary team conducts a comprehensive evaluation to determine eligibility for special education.

Placement

The law is clear that services for young children are to be provided in places where they would be if they did not have a disability, unless there is sufficient reason why these settings are not appropriate. Services should be in the “least restrictive environment” and with children of the same age who do not have disabilities. The team must discuss available placements in the community, consider the needs of the child and the services to be provided, and choose the best setting for the child. This could be in a program the child already attends. Possible placements may include the following: childcare, community or church preschool, mother’s-day-out program, play group, home, etc. However, if the team determines that the student is eligible for special education services, their recommendation may include services in a blended ECSE classroom with appropriate non-disabled peers. Each team will determine appropriate placement for the individual child.

Kindergarten Transition

When a child will be 5 years old after September 1, the kindergarten classroom is usually determined as the best placement for the child. During the year prior to kindergarten, the team will meet to discuss the child’s progress and what s/he should be doing. The kindergarten teacher must be invited to meetings so s/he can become familiar with the child, in preparation for the fall placement.

C. PRIVATE SCHOOLS

Any SPED services that are available through public school are also made available to private school students. A student who requires special education services as determined through the eligibility process may, at the discretion of the team, be transported to the public school to receive those services, or, when appropriate, the services may be delivered at the private school.

D. INTERRELATED PROGRAMS

Within ECKCE, interrelated programs are commonly referred to as resource rooms. These programs are responsible for serving children with intellectual disabilities, emotional disturbance, autism, learning disabilities, other health impairments, orthopedic impairment, developmental delay, sensory impairments and traumatic brain injuries. The only exception to this is if the student has demonstrated a need for a more restrictive environment, in which case other programs may be considered by the IEP team. A reevaluation of the student must be conducted prior to any substantial change in placement. However, there are certain circumstances where the IEP team may review existing data and determine that no additional data is needed.

E. LIFE SKILLS PROGRAM

The focus of the ECKCE, Life Skills programs is on students’ acquisition of functional life or daily living skills. Additionally, the students require sustained resources, specialized instruction, accommodations and modifications of curriculum.

The following eligibility criteria are to be followed by building teams when considering students for placement in the Life Skills Classroom:

The student must be significantly delayed (2.0 standard deviations below the mean* on a standardized assessment of intelligence along with convergent data from other sources that support the intelligence assessment). These sources will include data from level of achievement, social/adaptive skills, and communication ability.

1. Occasionally there may be a student who scores between two and three standard deviations below the mean on an intelligence test and who, due to severe and/or multiple disabilities, will need the curriculum and resources of the life skills program. This student may be considered for placement in the life skills program, but considerable efforts to serve the student in an interrelated resource room should be made and documented prior to consideration for the life skills program.

*On an intelligence test (such as any of the Wechsler scales) using a standard deviation of 15, the criterion would be an IQ of 70 or below.

It is the goal of the program to ensure that students achieve at their particular level in the following areas:

- ❖ Communication
- ❖ Literacy
- ❖ Problem solving
- ❖ Self-care
- ❖ Self-determination/advocacy
- ❖ Independence

F. THE WELLSVILLE, EUDORA AND BALDWIN PROGRAM (WEBS)

The ECKCE alternative program for special education students in grades K-12 who are unsuccessful in the traditional interrelated programs due to internalizing and/or externalizing behaviors is located at The WEBS Program. Because WEBS is a more restrictive environment, a reevaluation of the student should be conducted and the following criteria should be met to place a student in the program.

Criteria:

- **Does not** qualify for life skills (IQ and functioning levels higher than two standard deviations from the mean). Should have ED as a primary or secondary label.
- Less restrictive options have been attempted to the maximum extent appropriate. At least 50% of the day in a resource room at the school.
- Substantial evidence (data) that the student's pattern of behavior in school, during school hours, is unmanageable to the degree that maintaining the current placement is likely to result in injury to self or others or is a significant disruption to the learning process for self and others.
- FBA and BIP appropriate to the severity of the problem behavior(s) have been completed and implemented with integrity and with a reasonable amount of time allowed for the interventions to be effective.

Schools and IEP teams should have implemented various strategies and interventions that address the student's identified goals as they relate to behavioral and emotional needs in the referring school environment. These strategies must be quantified, documented and a summary included with the referral. Note that a student who merely demonstrates work refusal is NOT an appropriate candidate for the program. Only students who are manifesting behaviors that are not safe to themselves or others and are creating significant disruption to the learning environment are appropriate for WEBS consideration.

Please note: Problem behaviors sometimes escalate so quickly and the student becomes so dangerous or disruptive that it is not in anyone's best interest to delay a placement. This can happen before the building team has completed a reevaluation and implemented a FBA and BIP. Under these circumstances, the building team can appeal to the Interlocal director for an exception to this criterion. The director will determine, in consultation with the building team, if this exception is warranted. When an exception is made, a review of the student's past programming will be conducted. The purpose of this review will be to attempt to identify circumstances, if any, that might have prevented the escalation of problem behavior. Information from the review will be used to identify and make any appropriate changes in building level programming, including evaluation, IEP development and behavior interventions for students with dangerous or disruptive behavior. Similar information will be used to facilitate successful re-entry in to a less restrictive environment.

Placement Process:

1. Notify building principal and school psychologist of possible need for placement.
2. Conduct a staff only in-house meeting. Team members should include WEBS staff, the school psychologist, building principal, and other staff, as deemed appropriate. The purpose of this meeting

is to share information and to ensure good placement decisions or recommendations are made. Behaviors considered dangerous or disruptive will be documented in the meeting notes. To support the possible decision for placement, the behaviors should be described with specification of frequency, duration, intensity and response to management methods.

3. Complete the ECKCE WEBS K-12 Program Referral Form as a team. The school psychologist should contact the WEBS administrator. They will assist in completion of the referral.
4. If the result of the in-house meeting is to consider placement at WEBS, an IEP meeting will be scheduled. The referring school will update and complete the IEP at that meeting.

G. GIFTED PROGRAM

Services are provided for students who qualify for the gifted program. As with all other programs, the same identification and evaluation process is used to determine eligibility.

II. EVALUATION/REEVALUATION

A. CHILD FIND

Public notice of child find is published each year in the following: Free screenings are provided on the first Friday of each month for children ages birth through five. Coordination with Head Start and Community Infant Toddler programs occurs monthly. Student intervention teams, using a problem-solving format are also used K-12.

A child may be referred for an evaluation if one of the following conditions is met:

1. School personnel have data-based documentation indicating that general education interventions and strategies would be inadequate to address the areas of concern for the child. This information should be submitted in a written document developed by the building SIT (Student Intervention Team). This may include, but not be limited to, the following: reviews of student performance on local and state assessments; achievement tests; analysis of student achievement of grade level indicators and classroom performance measures, examination of office referrals and suspensions; and reviews of teacher, counselor and parent concerns. Also included should be the following: a description of parental involvement; the reason for referral which describes the concern in comparison to peers; baseline data for the area of concern; plan(s) for intervention; progress monitoring; and examples and descriptions of all interventions implemented and results.
2. School personnel have data-based documentation indicating that before the referral, or as a part of the referral, all of the following conditions were met:
 - (A) The child was provided with appropriate instruction in regular education settings that was delivered by qualified personnel.
 - (B) The child's academic achievement was repeatedly assessed at reasonable intervals that reflected formal assessment of the student's progress during instruction.
 - (C) The assessment results were provided to the child's parent or parents.
 - (D) The assessment results indicate that an evaluation is appropriate.
3. The parent of the child requests and gives written consent for an evaluation of the child, and the district agrees that an evaluation of the child is appropriate. Such requests are to be immediately delivered to the

school psychologist who will obtain consent for evaluation and deliver parent rights. The building SIT will collect data on strategies and interventions as part of the evaluation process.

To ensure that parents have knowledge about their rights under the special education law, the district is required to provide the parent with a copy of the Parent Rights in Special Education Notice:

- At least one time in a school year; and
- Upon a referral or parent request for initial evaluation;
- First formal complaint or due process complaint filed in a school year;
- Upon a disciplinary removal from school that constitutes a change in placement; and
- Upon parent request.

The notice is to be written in language understandable to the general public and provided in the native language of the parent.

B. EVALUATION TEAM MEMBERS

Parent/Family: The parent or family member is a very important part of the team. They contribute valuable insight about the child in settings other than school. The parent is the primary resource for family, developmental, medical, and school related histories. They also provide consent to obtain further histories from other agencies. In Kansas, “parent” is defined as:

- A natural (biological) parent;
- An adoptive parent;
- A person acting as a parent (meaning a person such as a grandparent, stepparent, or other relative with whom a child lives, or a person other than a parent or relative who is legally responsible for the welfare of the child);
- A legal guardian;
- An education advocate; or
- A foster parent, if the foster parent has been appointed the education advocate of an exceptional child.

Administrator: Typically, this is the building principal or his/her designee. Responsibilities include clarifying administrative issues concerning the facility, scheduling of “specials” (i.e. music, P.E., art, shop), integration of a child, use of computers, etc.

Occupational Therapist: The occupational therapist (OT) assesses the child’s fine motor abilities such as upper extremity function, self-care, visual-perceptual skills, and normal growth and development. Assessments include formal and informal tests. The OT provides results of the evaluation to determine the child’s need for OT services.

Physical Therapist: The physical therapist (PT) assesses gross motor skills that deal with gait and mobility, as well as coordination, through formal and informal testing. Information derived from this assessment, will determine the child’s need for PT services.

School Counselor: The school counselor provides information regarding the child’s feelings about school, home, self, and others. Observations, formal, and informal assessments provide this information. **School Nurse:** The school nurse provides screening information for vision, hearing, weight, coordination, and the child’s general health history.

School Psychologist: The school psychologist is responsible for interpreting the data collected through the general intervention process and the standardized tests that assess the child's academic and intellectual abilities. Through classroom observations and informal discussions with the child, the school psychologist assesses the child's perceptions of school and home. The school psychologist may act as the facilitator at the staffing and is responsible for ensuring all paperwork is completed.

Speech/Language Clinician: The speech/language clinician assesses the child's speech and language abilities through the use of formal tests and careful observation of his/her conversational speech. These tests evaluate the child's sound production, expressive and receptive language, grammar, fluency, and voice quality. The speech clinician makes recommendations for speech therapy, based upon the results of the evaluation. The speech clinician may also provide valuable information for the classroom teacher and parents to put into practice outside of the therapeutic environment.

Special Education Teacher(s): A special education teacher with knowledge in the area of concern may be present at the staffing. The teacher(s) who is currently working with the child provides information on skills the child has acquired and his/her educational needs. The student's strengths and needs should be determined through data collected during classroom observations, formative assessments, progress monitoring, or formal tests.

Transition Coordinator: When appropriate, i.e. when the student's IEP requires a transition planning component, the transition coordinator should be invited to insure IEP compliance with indicator 13.

Technical Assistance:

Technical assistance may also be provided to teachers as it pertains to classroom strategies that meet the needs of students.

Other: The parent may opt to invite someone who can offer information or support at the staffing. This may be a friend, relative, or a professional.

Please note: Representatives of community-based services may be invited to a meeting **ONLY** with signed parental consent **UNLESS** such representatives are there at the invitation of the parent.

C. EXCEPTIONALITIES DEFINED

The purpose of the evaluation is to determine if a student qualifies for one or more of the following areas of exceptionality.

Autism - A developmental disability significantly affecting verbal and nonverbal communication and social interaction, generally evident before age three but not necessarily so, that adversely affects a child's educational performance. Other characteristics often associated with autism are: engagement in repetitive activities and stereotyped movements, resistance to environmental change or change in daily routines, and unusual responses to sensory experiences. This term shall **not** apply if a child's educational performance is adversely affected primarily because the child has an emotional disturbance.

Developmental Delay (age 9 and younger) - A deviation from average development, to the extent that special education and related services are required, in one or more of the following developmental areas: physical, cognitive, adaptive behavior, communication, or social or emotional development. The deviation from average development shall be documented and measured by appropriate diagnostic instruments and procedures.

Emotional Disturbance - A condition exhibiting one or more of the following characteristics over a long period of time and to a marked degree that adversely affects a child's educational performance:

- An inability to learn that cannot be explained by intellectual, sensory, or health factors
- An inability to build or maintain satisfactory interpersonal relationships with peers and teachers
- Inappropriate types of behavior or feelings under normal circumstances
- A general pervasive mood of unhappiness or depression
- A tendency to develop physical symptoms or fears associated with personal or school problems.

This term includes schizophrenia, but shall not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

Gifted - Performing or demonstrating the potential for performing at significantly higher levels of accomplishment in one or more academic fields due to intellectual ability, when compared to others of similar age, experience and environment.

Learning Disability - A disorder in one or more of the basic psychological processes involved in understanding or using language, spoken or written, that may manifest itself in an imperfect ability to listen, think, speak, read, write, spell, or to do mathematical calculations, including perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia. The term shall **not** include learning problems that are primarily the result of any one of the following: visual, hearing, or motor disabilities; mental retardation; emotional disturbance; or environmental, cultural, or economic disadvantage.

Intellectually Disabled - Significantly sub average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period that adversely affects a child's educational performance.

Multiple Disabilities - Co-existing impairments, the combination of which causes such severe educational needs that those needs cannot be accommodated in special education programs solely for one of the impairments. The term does **not** include deaf-blindness.

Orthopedic Impairment - A severe orthopedic impairment that adversely affects a child's educational performance and includes impairments caused by any of the following: congenital abnormality (such as clubfoot or absence of a limb); disease (such as poliomyelitis or bone tuberculosis); and other causes (such as cerebral palsy, amputation, or fractures/burns causing contractures).

Other Health Impairment - Having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the education environment and meets the following criteria: is due to chronic or acute health problems (including asthma, attention deficit disorder or attention deficit hyperactive disorder, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, and sickle cell anemia, and Tourette Syndrome); and adversely affects a child's educational performance.

Sensory Impairments – Includes the following:

- *Hearing impairment*: a permanent or fluctuating impairment in hearing that adversely affects a child's educational performance but does not constitute deafness as defined in the regulations.
- *Deafness*: hearing impairment so severe it impairs a child's ability to process linguistic information through hearing, with or without amplification, and adversely affects the child's educational performance.

- *Visual impairment*: visual impairment that, even with corrections, adversely affects a child's educational performance. (Includes both partial sight and blindness.)
- *Blindness*: visual impairment that requires dependence on tactile and auditory media for learning
- *Deaf-blindness*: combination of hearing and visual impairments which causes such severe communication needs, as well as other developmental and educational needs, that cannot be accommodated in special education programs solely for the hearing or visually impaired.

Speech or Language Impairment - A communication disorder, including stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

Traumatic Brain Injury - Acquired injury to the brain, caused by an external physical force, resulting in total or partial functioning disability or psychosocial impairment, or both, that adversely affects educational performance. This term applies to open or closed head injuries resulting in impairments in one or more areas, including: cognition; language; memory; attention; reasoning; abstract thinking; judgment; problem-solving; sensory, perceptual, and motor abilities; psychosocial behavior; physical functions; information processing; and speech. This does **not** include brain injuries that are congenital, degenerative, or induced by birth trauma.

D. INITIAL EVALUATION PROCEDURES

1. referral packet (found in this section). The general education teacher through the SIT (Student Intervention Team) process will indicate if OT/PT/Speech concerns are present and will provide pertinent classroom data indicating the areas of the student's strengths and needs.
2. The school psychologist and building administrator will determine if additional classroom performance data is needed; if so, referred student returns to SIT team.
3. The school psychologist will coordinate the evaluation and will notify those involved of the referral. The school psychologist will attempt to obtain consent for the evaluation from parents. Included in the packet sent to parents will be a cover letter describing the process, "*Prior Written Notice to Evaluate*" (found in Chapter 9), parental rights, and parent questionnaire (found in this chapter).
4. The school psychologist will notify special education staff when permission to evaluate is obtained via email and paper copy of consent form. **The evaluation cannot be started until consent is obtained.** As per federal regulations, the team has 60 school days to complete the evaluation and develop an IEP, if needed.
5. Evaluation begins upon receiving parent consent. Initial evaluations must include the following five sources **General Education Intervention, Record Review, Interview, Observation and Test.** A variety of assessment tools must be used to gather relevant functional, developmental and academic information to determine whether the child is an exceptional child. The collected data is used to determine the following: if the child is a child with an exceptionality; whether the child needs special education and related services; the educational needs of the student; the present levels of academic achievement and functional performance; and whether any additions or modifications to the special education services are needed to enable the child to meet the measurable goals set out in the IEP and to participate in the general education curriculum. All special education staff involved in this evaluation must notify the school psychologist when their testing is complete.
6. All tests administered for evaluation purposes will be given by trained, licensed, and knowledgeable personnel. Test protocols will be followed in accordance with instructions by the publisher of the test. Norm referenced tests will be used for reliability and validity. Native language needs will be considered. Written materials can be obtained in a variety of languages and interpreters will be hired in accordance

with the language needs of the student or family. Language needs are determined by the native language spoken or as requested by the parent.

7. Individual special education services members will gather information and enter his/her own data into the *Eligibility Report* and the “Present Levels” sections, at least one week prior to the parent meeting. The school psychologist will notify the entire special services team when all testing is complete.
8. The school psychologist will contact the team and set up a staff only in-house (if needed) and parent meeting.
9. The team, including parents, will meet to review the evaluation results. The team will determine eligibility by answering two questions. 1. Is the child a child with an exceptionality? 2. ...and by reason thereof, has a need for special education and related services? If the decision is made to place the student in special education, an IEP will be created.
10. If the student is not placed in special education services, he/she will be referred back to the SIT team for continued student improvement plan interventions or a 504.
11. School psychologist will return the *Note to SIT* with results.

E. INITIAL EVALUATION PROCEDURES FOR GIFTED

1. If the student is referred from the SIT team, the previously mentioned information is applicable.
2. As a part of this process, the gifted facilitator will:
 - a. Send out *Teacher Information for Gifted Evaluation* (found on website) to classroom teacher(s) to complete and return. Complete the Student Interview, as well, with the referred student. The information will be reviewed and put on the *Eligibility Report* (found on website).
 - c. If academic testing is needed, the school psychologist will inform gifted facilitator, who will give a test of achievement and put this information on the *Eligibility Report*.
 - d. E-mail the school psychologist when this is complete.
3. As a part of this process, the school psychologist will give an intelligence test to the student, send out the *Parent Information* form, and send out the *Gifted Evaluation Scale – 2nd Edition* to classroom teacher(s).

F. REEVALUATION PROCEDURES

1. Providers will be notified of students due for reevaluations by the MIS Clerk at the beginning of the school year. All case managers should double check caseloads at the beginning of the school year. If a student is missing from this list or there is an incorrect date, the school psychologist and MIS clerk should be contacted immediately.
2. At the beginning of the year, the school psychologist will contact the case manager with tentative dates for reevaluation meetings for the school year. (Speech only students are the responsibility of the speech pathologists.)
3. Team will determine if additional data is needed.
4. The school psychologist will send to parents a packet including a cover letter describing the process, *Prior Written Notice for Evaluation or Reevaluation* and *Request for Consent* (WebKIDSS), a copy of

parental rights, and parent questionnaire (found on website). Teachers will receive a *Teacher Questionnaire* (found on website) to complete, as well.

5. Once consent has been obtained, the school psychologist will notify providers via e-mail and copy of permission to test form. *****The reevaluation cannot be started until consent is obtained.**
6. The evaluation begins upon receiving consent. All special education staff involved in this evaluation must notify school psychologist when their testing is complete.
7. Special education staff members will gather information and enter their own data into the *Eligibility Report* and “Present Levels” sections on the WebKIDSS program at least one week prior to the parent meeting.
8. If staff believes an in-house meeting is needed, the school psychologist should be contacted immediately. This meeting should be scheduled at least one week prior to the parent meeting.
9. The team will meet to discuss *Eligibility Report* and IEP (if applicable) with parents. Follow IEP guidelines as indicated in Chapter 3.

G. REEVALUATION PROCEDURES FOR GIFTED

1. The team will determine if additional information is needed for the student’s reevaluation. The school psychologist should be notified of the outcome of this determination. Aforementioned reevaluation procedures should be followed if the team decides it is necessary. If the team concludes a reevaluation is not needed to determine continued eligibility for the gifted program, the school psychologist will send the parent the *Reevaluation Not Needed* form (WebKIDSS). The school psychologist will update the Evaluation Completion Date in WebKIDSS once the form is returned.
2. The gifted facilitator will gather information and enter this data into the *Eligibility Report* and the “Present Levels” section on the WebKIDSS program. The gifted facilitator is also responsible for coordinating with other service providers for the various pieces of information needed.
3. The team will meet and review data. Eligibility will be determined, and the IEP will be developed following the IEP procedures.

III. IEP PROCEDURES

When ready to begin writing an IEP, please follow these procedures:

1. **Each screen contains a prompt box. A description of required information for PLAAFP development is outlined in red. Read and follow the directions/guidelines.**
2. **File all documents.**
3. **Click on Add New/Amendment IEP Record – radio button.**
4. **Demographics page information will carry over; verify that all of the information is correct.**
5. **Dates/Educational Status – Complete prompts for the following: Initiation, IEP Meeting, New IEP Meeting Date.**
6. **Anticipated Services Chart – Complete all prompts on services lines for all providers. You can update this screen later when you are ready to make specific service recommendations.**

7. **Initial IEP for student to begin services** – The school psychologist will start the IEP record with the basic information for the providers. The Special Education teacher will verify and complete all screens. Services begin only after the parent signs consent.

NOTE: Following these steps will ensure all service providers will have access to the student IEP record under “Current Active Caseload”.

A. IEP REMINDERS

- **Demographics** – Complete all prompts. Verify parent contact information with parents at the beginning of the meeting. Verify Race/Ethnicity information with the building attendance secretary so all data sources match. (Gifted is no longer listed as an exceptionality, so check the box for Giftedness, if needed.)
- **WK199 Text After Signatures** – Check all buttons Y or N. Enter additional information in available text box.
- **Dates/Educational Status** – All new referrals will need Consent for Initial Evaluation Date. *****Initiation Date and IEP Date must be IDENTICAL.** IEPs are to be dated with IEP meeting date **NOT** parent signature date. Supply evidence data in the textbox, as needed.
- **Status** – IEP **meeting date** and **initiation date** need to be **identical**. Update vision/hearing dates; verify **Educational Status** with correct code.
- **Parent Input** – Input parent comments into WEBKIDSS. **X** goes in the blank if there are no comments.
- **Health** – Compare vision/hearing dates to status screen – they should be the **same**. (A health request should be sent to the nurse at least two weeks prior to the IEP.) Include a statement about how the child’s health or medical diagnosis (may need to cite a doctor’s report) affects progress in school. Ask the PE teacher for a statement regarding the student’s skills. Include relevant background information.
- **Social/Emotional** – List **strengths** and **concerns** for peer and adult relationships. Does behavior impede progress? If it does, behavior concerns need to be mentioned in this section. Facts, not opinions, should be used. One incident, out of context, should not be placed on an IEP. Always use objective, measurable statements. Parents should not be surprised by the information in this section.
- **Academics** – List **strengths** and **concerns** from general education and special education staff members’ reports. The student’s present levels of academic and functional performance **MUST** be described. Included in this section should be testing results (standardized, informal, work products, grade equivalents, percentiles, etc...) A statement about how the student’s disability/giftedness affects their involvement in the classroom and with the curriculum **must** be included. Always use objective, measurable statements. (Opinions and recommendations are not appropriate.) The PLAAFP must end with a summary statement. Compare the student’s skills to peers, district standards, how the disability affects progress, and how the student will be assessed (general state assessment, KAMM, or alternate with standards specified.)
- **Communication** – Include a statement about student’s expressive and written communication skills. Check yes/no on all prompts.
- **Other** – Leave blank. Use this only if you need to include outside agency information. (Examples: Children’s Mercy, Bert Nash, etc...)

- **Goals** – These should be measurable goals that can be reasonably accomplished in one year. **Goals must relate to PLAAFPS.** It is from the PLAAFPS that baseline information should be determined. There should be at least one goal for each area for which a student receives pullout services.
- **SPED & Related Services – DO THIS CORRECTLY – FUNDING IS DIRECTLY AFFECTED.** MUST – split the school year reporting of services. MUST use CHART when reporting services. Do not delete the prompts indicating the following: frequency, duration, location, and/or provider. DO NOT state para support. Call the MIS Clerk at extension 201 if there is a situation where 1-1 para support is required. When completing the chart, click on **Display Services Chart** and complete the anticipated services chart using the correct codes from the data dictionary and exact services listed on the SPED and related services chart. Do not forget to identify Primary Provider and Primary Building. Do not use CWC; use Inclusion.
- **Program Modifications and Accommodations** – MUST check all appropriate, needed accommodations and modifications using codes G, S, or B. The prompt (*yes or no*) for a modified grading plan is at the bottom. Check the appropriate box and supply specific information in the textbox if a modified grading plan is to be used.
- **Supplementary Aids, etc.** – Check the appropriate prompt and delete the extra information.
- **Non-Participation** – Check *yes/no* prompt. Mark with or without on lines.
- **Transportation** – If the complete screen appears, this indicates you chose Transportation Y on Demographics. **X** goes in the appropriate lines. Give descriptions, if appropriate.
- **State Assessments** – Choose the correct test from the drop box for each subject. **Accommodations** – select appropriate choices (hold Control key down) for every test. **Text Box** – complete with frequency, duration information for choices above #9. **Alternate** – must explain in textbox. **Alternate Assessment** – complete standard, benchmark, and indicator. The textbox provided **must** be completed with the student’s assessment history and an explanation for the decision to test using the KAA.
- **ESY (Extended School Year)** – Check all lines that apply for eligibility consideration. If ESY is recommended, complete questions 1, 2, and 3. Teachers must provide data verifying that the student qualifies for ESY based on the child’s inability to recoup skills requiring greater than 45 calendar days. (It is recommended that students be pre- and post-tested after the Winter Holidays. Verify the 45 days progress monitor as a litmus test.) Address transportation needs, as well.
- **Positive Behavioral Interventions and Support** – This is triggered by Demographics Y/N. If this screen appears, you chose Y on Demographics. Choosing N will automatically print “School-wide Discipline Plan” followed. Check the school-wide discipline plan at the bottom of the screen.
- **BIP** – This is triggered by Demographics Y/N.
- **Assistive Technology** – This is triggered by Demographics.
- **Special Considerations** – This will show up as an error. There is nothing else that needs to be done on this screen. Always set to default and include – do not delete.
- **Progress Report** – Check quarterly and written report, yes or no.

- **Medicaid** – For the time being, continue to get a signature. This does not mean the student will receive Medicaid services.
- **Once the IEP is completed** – Check MIS/General Errors before trying to print. The IEP will not print if there are any errors. E-mail the MIS clerk, **5 days prior to the meeting (UNLESS you have been required by the Director to do so even earlier)** to check the IEP. Contact your school psychologist to check your completed action forms.
- **Adopting IEP** – This will be done when the IEP meeting is concluded and it is received by the MIS clerk. Once the IEP is adopted, no changes can be made by the provider except in demographics and status.
 - ❖ **In the interest of eliminating the possible need for amendments, please follow these directions. On the SPED and Related Services pages, be sure that you explain why a student needs services for an entire class period, if that is the way you have written the IEP. Instead of giving specific numbers, please use the words “class period”. Use Inclusion, not CWC.**

B. TRANSITION

These screens are to be completed for all students, except gifted, ages 14 and older. Screens are DOB sensitive and will automatically display. This information should be reviewed by the school psychologist and/or transition specialist prior to the IEP meeting.

Post-School Outcomes

Transition Assessments- Students must be interviewed/given as least two transition assessments each year. Choose assessments that are appropriate to help students work towards their post-secondary goal(s). Assessments may be formal or informal. This must be completed by teachers and other team members. List assessments given and a summary of the results.

Student's Desired Post-School Outcomes

Outcomes/Visions are required for Education and Training and Employment for each student. Write an individualized goal that contains four goal components: timeframe, condition, behavior and criteria (i.e. After graduation from high school, the student will...). Remember that there will be goals for each future education/training and employment. Independent Living Skills is required for students who need to work on those skills. In addition, you must add what the student's current level of readiness or courses completed in these areas.

Anticipated Course of Study and Graduation Plan is required for each student. Also include courses that will assist the student in working towards their goal(s). Complete prompts for individual student.

Needed Transition Services: Complete Prompts in each area

Instruction (Required). Services Needed. Activities and Strategies to assist in meeting student's post-school goal and **BY WHEN.** Responsible Parties.

Employment (Required). Services Needed. Activities and Strategies to assist in meeting student's post-school goal and **BY WHEN.** Responsible Parties.

Community (As Needed). Services Needed. Activities and Strategies to assist in meeting student's post-school goal and **BY WHEN.** Responsible Parties.

Daily Living Skills (As Needed). Services Needed. Activities and Strategies to assist in meeting student's post-school goal and **BY WHEN**. Responsible Parties.

Related Services for Transition (As Needed). Services Needed. Activities and Strategies to assist in meeting student's post-school goal and **BY WHEN**. Responsible Parties.

If an outside agency is listed, written consent from parents must be obtained in order to exchange information with the agency. (Forms are available at the SPED Office or from the school psychologist.) After consent is obtained, a representative from the agency may be invited to the IEP meeting. Document all meeting notices and attach to the Staffing Summary and/or Notice of Meeting. *For students receiving case management services only, the parent/guardian invites the agency to the meeting.

Vocational Rehabilitation- Check appropriate prompts

Agency Collaboration- Document any and all agency collaboration

C. WHEN PARENTS DO NOT ATTEND THE IEP MEETING

Parents are an integral part of the IEP process and must be encouraged to the greatest extent possible to participate in each IEP meeting. However, sometimes circumstances prevent this from happening despite our best efforts. If you are unable to convince a parent to participate, it is important that the attempts are well documented. Please follow these guidelines.

1. Start contacting parents **6 weeks** before the IEP is due to schedule the meeting – within these 6 weeks, make at least **three contact attempts** using **multiple** methods (telephone, mail, telephone; telephone, mail, mail; telephone, mail, in person; telephone, mail, note home). Send reminders.
2. If you have given the parent adequate time for notice of the meeting (at least 10 days), and the parent does not attend the meeting, try to call the parent to see if he/she forgot or is unable to attend.
 - a) If you are able to get in touch with the parent, the parent has one of three options:
 - i. Come to the meeting.
 - ii. Do a conference call meeting on the telephone. (Document on the meeting notes that parent participated via telephone. Also ask them to sign the signature page of the IEP and the meeting notes.)
 - iii. Reschedule the meeting. If they want to do this, tell the parent that you are going to go ahead and have the meeting today with the team, but you will meet with the parent at another time to review the IEP. Inform the parent that when you review the IEP with him/her, some of the IEP team members may not be present.
 - b) If you are unable to contact the parent, proceed with the meeting.
3. Document on the meeting notes that although multiple attempts were made to contact the parents for the meeting, the parent did not attend and refer the reader to the *Meeting Notice* for the documentation of the multiple attempts. Also, draw a line underneath the signatures on the IEP signature page.
4. After the meeting, try to contact the parent to reschedule a meeting to review the IEP. Remember to inform the parent that some of the IEP team members may not be present at the meeting.

a) If the parent comes in the IEP review, have the parent sign and date the IEP underneath the line that you drew on the signature page. Also have them sign the action form. Have meeting notes for this meeting to document that you did meet with the parent. Have anyone present at this meeting sign the meeting notes.

b) If the parent does not want to come in for a meeting, document that on your meeting notice and green sheet. Mail a copy of the IEP, meeting notes, and the action form with a note on the action form to sign and return. (See a sample letter on the next page.) You can also ask the parent if he/she would like you to review the IEP over the telephone at that time.

D. OVERDUE IEPS

- Using the “Notice of Meeting” form, document **all** contacts.
- Write an explanation of the reason/s for the IEP meeting being held past the deadline.
- Send a hard copy, including date and signatures, with the current IEP and other forms. Be sure that dates on IEP status screen and anticipated services chart reflect new dates.

E. NEW STUDENTS ENTERING A DISTRICT

- The school contact person alerts the school psychologist to a new student.
- If the school sends a request for records, they will fax a copy to the SPED department. If the school does not send the request, the school psychologist has the MIS clerk request information.
- The school psychologist will review information, when obtained, and advise the team of pertinent details. If there are no changes to services/placement, the IEP will be implemented as is.
- When each member has reviewed the IEP, they must sign and date the *Signature Page Indicating Review* (If team members have not seen this and you know about the student, check with your school psychologist.)
- ***If the student comes from a WebKIDSS’ school, the school psychologist will inform the WebKIDSS coordinator to import the IEP. ***If the student does not come from a WebKIDSS’ school, the school psychologist will create a new student and place them on the providers’ lists. ***The provider completes *Demographics and Status and Anticipated Service* screens.
- If a new IEP is needed, but the team feels more information is needed to write an appropriate IEP, an Interim IEP may be written. This is only good for **30 calendar days**. By the end of this time, a new IEP must be written and accepted by the team. (Do not start a new IEP on the Interim record.)
- Regardless of the action taken, all appropriate forms must be turned into the SPED office within 2 weeks of the meeting or review of the IEP.

F. STUDENTS EXITING A DISTRICT

- Reasons for leaving may include, but not be limited to, the following: transfer; graduation; no longer eligible; and drop out. Select the appropriate code on Dates/Status screen in WebKIDSS and note the last date of SPED services.

- The case manager is responsible for notifying the MIS clerk, the school psychologist, the IEP coordinator, and other service providers.
- If a student is absent for more than ten (10) consecutive days, it is considered an interruption or change in services. Notify the MIS clerk for directions.
- An **exit date** ***MUST*** be entered on WebKIDSS. File all documents. Notify the MIS clerk to archive student documentation.

G. IEP AMENDMENT PROTOCOL – Amendments are not the backup plans for mistakes or issues not addressed in a timely manner.

1. Call your school psychologist to determine whether or not an amendment is necessary. (Examples: IEP rating form indicates a needed change; changes in testing are required; services do not match.)
2. **Unless verbal consent by the parent(s) is given and documented, NO changes may occur until the signature/form is received.**
3. If an amendment is required and verbal consent is received and documented, the case manager will send the school psychologist the amendment information by e-mail.
4. The school psychologist will create a new record, complete the amendment and send it to the case manager.
5. In most cases a PWN (Prior Written Notice) with signature for parental consent is also required; the case manager is responsible for its completion. It must then be read and verified by the school psychologist before sending it to the parent.
6. The case manager will then be responsible for contacting the parent and administrator for signatures, obtaining the signatures, and getting a copy to the parents. For compliance purposes, these actions must be documented. Send the amendment, the PWN, and the meeting/staffing report, to the school psychologist.
7. The school psychologist will enter the amendment information into WebKIDSS on the appropriate page and complete TIP.
8. The school psychologist will give the amendment, PWN, and TIP, if applicable, to the MIS clerk who will enter service changes.
9. NOTE – The universal amendment location is on the SPED and Related Services screen in WebKIDSS.

H. MEETING NOTES

- Meeting notes should be kept of anything that is not stated in the IEP/eligibility report. This includes anything discussed at the meeting that is important for documentation purposes.
- If a required participant from the school is unable to attend the meeting, the excusal form should be used and a brief explanation should be made in the meeting notes.

- Signatures of all in attendance at the meeting are required in the event of a parent meeting that occurs without an IEP or an eligibility report.

I. PARENTAL RIGHTS

- Parents are to be provided notice of meetings related to eligibility, evaluation, reevaluation, IEP development, provision of a free appropriate public education (FAPE) for their child and educational placement decisions, to ensure that they have the opportunity to participate in the meetings.
- Parents must be provided Prior Written Notice of any special education action for which their consent is required. It is also required when the school refuses a parent’s request to initiate or change the identification, evaluation, or educational placement of the child, or to make a change to the provision of special education and related services to the child.
- To ensure that parents have knowledge about their rights under the special education law, schools are required to provide a copy of the Parent Rights in Special Education Notice to the parents:
 - *At least one time in a school year;
 - *Upon a referral or parent request for initial evaluation;
 - *First formal complaint or due process complaint filed in a school year;
 - *Upon a disciplinary removal from school that constitutes a change in placement; and
 - *Upon parent request.
- In Kansas, a “parent” is defined as:
 - *A natural (biological) parent;
 - *An adoptive parent;
 - *A person acting as a parent (grandparent, stepparent or other relative with whom a child lives, or a person other than a parent or relative who is legally responsible for the welfare of a child);
 - *A legal guardian;
 - *An education advocate; or
 - *A foster parent, if the foster parent has been appointed the education advocate of an exceptional child.

J. PROGRESS REPORTS

- Complete a progress report each quarter of the school year.
- Send copies to parents and to the Special Education Office.
- Follow building administrator’s requirements, as well.
- If a student is not meeting goals, the IEP team should be re-convened to discuss issues relating to the goal. A new or adjusted goal may result from this meeting.

K. ADDRESSING BEHAVIOR ISSUES

There are three ways to address behavior on the IEP, depending on severity: goals; program modifications (positive behavior supports); and/or Behavior Intervention Plans. There is a checklist for PBS’ and a new screen for BIP’s now available on our IEP’s. Questions should be addressed by the school psychologist.

L.EXCEPTIONALITY CODES

PRIMARY DISABILITY (as determined by the Eligibility Team)

- AM:** Autism
- DB:** Deaf-Blindness
- DD:** Developmentally Delayed – Students age 3 – 9 only. **This must stand alone as a primary disability.**
- ED:** Emotional Disturbance
- HI:** Hearing Impairment
- ID:** Intellectual Disability
- LE:** Specific Learning Disability
- MD:** Multiple Disabilities
- OH:** Other Health Impairment
- OI:** Orthopedic Impairment
- SL:** Speech/Language Impairments
- TB:** Traumatic Brain Injury
- VI:** Visual Impairment

SECONDARY DISABILITY (if the student qualifies and is identified as having a secondary disability, enter the category from the following list of codes)

- AM:** Autism
- DB:** Deaf-Blindness
- ED:** Emotional Disturbance
- HI:** Hearing Impairment
- ID:** Intellectual Disability
- LD:** Specific Learning Disability
- MD:** Multiple Disabilities
- OH:** Other Health Impairment
- OI:** Orthopedic Impairment
- SL:** Speech/Language Impairments
- TB:** Traumatic Brain Injury
- VI:** Visual Impairment

Multiple Disabilities: For cases where a student is identified as having three or more disabilities, the Eligibility Team determines which exceptionality is the Primary and which is Secondary. Students may receive any service as determined by the IEP team and not necessarily be identified with another disability, for example, an LD only student receiving speech/language as a related service.

Gifted: In the checkbox note **Y = Yes, Student is gifted; N = No, Student is not gifted.**

M. SPECIAL EDUCATION/RELATED SERVICES CODES

Services – Enter the code of the service the student is receiving from the following list of codes.

- AC:** Attendant Care – a non-instructional paraeducator
- AP:** Adapted PE
- AS:** Assistive Technology – services and/or support for hardware and software devices. Typically addressed in the accommodations section of the IEP not in the services section.
- AT:** Art Therapy
- AU:** Audiology
- CM:** Case Management*

CS: Counseling*
DI: Diagnostic Medical
DM: Dance Movement Therapy
GI: Gifted Education Services - specially designed instruction for students identified as Gifted*
IN: Interpreter Services
KT: Participation in an early childhood program w/o SPED support. (For KAN_Service only)
MA: Mobility Assistance
MS: Special Music Education
MT: MusicTherapy
NU: School Nurse Services – Services provided by a qualified nurse in accordance with the IEP.
OM: Orientation and Mobility – for individuals with visual impairments
OT: Occupational Therapy
PC: Parent Counseling*
PS: Psychological Services*
PT: Physical Therapy
RC: Rehabilitation Counseling
RE: Recreation
SE: Special Education Services – specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability – KSA 72-962(i)
SH: School Health Services – IEP services provided by a school nurse or other qualified person.
SS: Speech and Language as a related service – for students not identified with an S/L disability
SU: Supplementary Service – supported/routine services delivered by an aide or Paraeducator under the supervision of a licensed OT or PT
SW: Social Work Services*
TS: Transition Services
TT: Travel Training
VO: Vocational Special Education – criteria examples for Vocational Special Education settings:

*Community Based Setting (E) – Direct support – job coaches, para support, etc. Indirect Service Setting (X) – No direct support – “work study”, consultation with employer, etc.

*These related services may be appropriate and will not generate verifications for a Gifted only student.

N: SERVICE SETTINGS

Codes:

- . **A:** Home-Based: The delivery of any direct special education service provided in a home environment, for students of any age who are not “Homebound” (P) or “Home Schooled” (O). A Home-based setting may include, but is not limited to, the delivery of early childhood services in the child’s home, a relative’s home, a non-licensed child care/baby sitter’s home or virtual school students who receive services at home
- . **B:** Early Childhood Setting: Includes settings for preschoolers or kindergartners with disabilities that receive special education or related services in educational programs designed primarily for students without disabilities.
- . **C:** Special Ed Direct Services in a General Ed classroom in an Elementary or Secondary Building: Includes settings where students with disabilities are educated with students who are not disabled; this

includes but is not limited to general education classrooms, lunch room/cafeteria, recess, passing periods, and nurse or counselor office.

D: Non-School Settings: Includes settings for students who receive special education or related services in non-school or off-campus centers, such as Public Libraries, doctor offices, rehabilitation centers, speech pathologist homes, church facilities, community centers, SRS Group Home, parks, recreational centers, settings on school property typically not used, etc. For children age 3, 4, 5 include service provider locations that the student is brought to for the child's only special education or related service.

E: Community Based Direct Instruction: Includes the actual settings in which students develop skills where they will ultimately be performed. Service settings include but are not limited to job sites, work study, life skills programs in business, shopping centers or restaurants and other organizations or establishments within the community.

F: Early Childhood Special Education Classroom: Includes settings for preschool students who are:

1. Removed from their regular preschool program to receive special education or related service(s) in separate locations or rooms apart from their non-disabled peers.
2. Special education programs for preschoolers with disabilities that have classrooms with no (zero) non-disabled peers. Including but not limited to one-on-one support for preschool children who come to the preschool and receive services on an itinerant basis.

Early childhood special education program settings may be housed in, but is not limited to special education classrooms in public or private / parochial school buildings, off-site public or private preschool centers.

G: Special Ed Direct Services in a Special Ed Classroom in an Elementary or Secondary Building: Includes settings where students with disabilities are removed from the general education environment or preschool classrooms. Include resource room settings for preschool children who come to the elementary school and receive services on an itinerant basis.

H: Alternative School: A school/program that is nontraditional, especially in education ideals, methods of teaching. Include virtual school classrooms in district buildings.

I: Incarceration: Includes settings for students who are incarcerated in any facility under the jurisdiction of the criminal justice system, including but not limited to local or county jails, juvenile or adult detention facilities, state penal institutions PRTC or level 6 facilities listed under K.S.A. 72-8187.

J: Special Day School: "Special day school" means the delivery of special education services in a special purpose school or any segregated building that provides any of the following:

1. specialized curricula for exceptional children;
2. modified facilities and equipment for exceptional children; or
3. interdisciplinary, ancillary, medical, psychiatric, or social services for exceptional children, or some combination of these services.

K: Early Childhood Program Time without Services (for ages 3, 4, 5): Includes the amount of time the child spends in regular early childhood programs, excluding time when special education services are delivered. These programs may include, but are not limited to: Head Start centers; kindergarten; community based or private preschools, group child development/child care centers, 4-year old at risk programs, preschool classes offered to eligible pre-KG children by the public school system. The time reported in this setting does not have to be publicly funded to qualify as regular early childhood program time. Early childhood students' school day capped at 480 minutes. Service time

plus K time can not exceed 480 minutes for the building(s) where the student participates in the regular early childhood program(s).

- L:** Hospital: For students confined to hospitals or convalescent homes for psychiatric or medical treatment on an in-patient basis and receive their special education services in this location.
- M:** Residential Setting: “Residential school” means a facility that provides a residential program of treatment and/or special education for exceptional children. This includes any facility that provides living accommodations and is considered the domicile or temporary sojourn of the students attending and receiving services at the facility.
- O:** Home School: For students who receive their general education and special education services in the home school environment. Neighborhood and attendance buildings are listed as home.
- P:** Homebound: “Homebound instruction” means the delivery of special educational services in the home of a child whose health problems (physical or mental) are so serious that school attendance is impossible. Students receiving special education services at home because of suspension or expulsion **do not** meet the definition of homebound instruction.
- R:** Integrated Special Education Setting (age 3, 4, 5): Includes settings for preschoolers with disabilities who receive their special education and related services in programs designed primarily for students with disabilities, and includes a population of children without disabilities at a ratio of less than 50%.
- S:** Extended School Year Setting: (Service lines are optional – not required by KSDE.) Any setting where Extended School Year services are provided. Extended School Year means special education and related services that are provided to a child with a disability under the following conditions:
1. beyond the school term provided to non-disabled children;
 2. in accordance to the child’s IEP; and
 3. at no cost to the parents of the child.
- Include summer term services. ESY services are **never** combined **or used** with regular term placement settings or service times.
- T:** Extracurricular: Includes settings for students who receive their special education or related services to support participation in school sponsored activities outside of the accredited school day. These nonacademic settings may include counseling or health service settings, athletics, supported transportation, recreational activities, special interest groups or clubs, etc., sponsored by the public agency.
- U:** Under Suspension/Under Expulsion: Includes settings for students who receive special education or related services in non-school settings due to a disciplinary removal by district administrators.
- W:** Reverse Mainstream ECSE Classroom Setting: Settings for students age 3, 4, 5 who receive special education or related services in special education settings attended by children without disabilities at a ratio of 50% or more.
- X:** Indirect Services: Indirect service is defined as special education personnel delivering special education and related services to a student through another person, meaning the student is not physically present or there is no interaction/contact with the student. This includes but is not limited to services such as brailing, scribing, or consultation between service providers, service providers and administrators, parents, employers, etc. Classroom/curriculum/teacher preparation time or teacher training are not considered an indirect service.

Y: Juvenile Correction Facility (formally called Youth Center): For students receiving special education services in schools operated at a state juvenile correction facility.

***Unless noted to the contrary, all definitions for the above placement settings are Non-regulatory definitions developed by KSDE for data collection purposes.

O. STATUS CODES – (H#13): The status of the student for this school year at the collection point.

Active Status: The annual status of students currently receiving special education services.

- B** Children age 3 who transition from Part C services to Part B by their 3rd birthday.
- C** Continuing student from previous school year – served continuously by the responsible LEA last school year.
- E** Entering from another district or agency from outside of the catchment area, this school year.
- I** Reinitiation of Services; - IDEA Students who have had all of their services revoked by the parent or self (if 18 years of age or older) and services have been restarted this school year.
- K** Under (Out of School) Expulsion, currently, at the time of the collection.
- N** New referral – student who is referred for special education services the first time in their life under Part B of IDEA or as Gifted by the Part B agency. This status remains with student for the entire school year in which services begin, including those who enter from another LEA.
- Q** Under Long-term (Out of School) Suspension currently, at the time of the collection.
- R** Returning to a Special Education Program: A student who has previously received special education services at some point in their life; completed objectives or dropped out or left services without a written revocation and then returned to services during current school year.

Annual Status – The first status code assigned to the student in the current school year.

Inactive (Exit) Status: Students who no longer receive special education or related services. Documentation must be kept on file to support reported exit.

- D** Dropped Out of School (KIDS D28-14) – Students with disabilities who were enrolled at the start of the reporting period, were not enrolled at the end of the reporting period, and did not exit special education through any other bases described below. This includes dropouts, runaways, expulsions, status unknown, students who moved and are not known to be continuing in another educational program and other exiters. Reported to ECKCE as a Drop Out.
- G** Graduation with Diploma (KIDS D28-8) – Students who meet the same graduation standards and receive a high school diploma identical to that which students without disabilities are eligible.
- H** Has earned or is enrolled in a GED program (KIDS D28-19). Reported to ECKCE as a Drop Out.
- L** Left State (KIDS D28-3) – LEA has obtained evidence student is continuing in General or Special Education in an LEA outside the state of Kansas. If the student has left the state and the LEA has no evidence the student is continuing in another educational program, then the status is “D”.

- M** Maximum Age (KIDS D28-13) – Student reaches age 21 in the current school year. **O** Objectives completed – Student no longer meets eligibility criteria and does not qualify as a child with a disability.
- W** Written revocation of services – by parent or by student (if 18 years of age or older) and the LEA has evidence the student is continuing in the general education environment.
- A** Action initiated Withdrawn from Special Education – by parent or student if services have ceased due to an act taken by parent or student (without written revocation of services) and the LEA has evidence the student is continuing in the general education environment.
 - Include (A and W) students who exit SPED services for Home Schooling, enroll in a private, parochial, or virtual school, and NO Special Ed services are provided. A and W do not apply as part of the local procedure for dropping out of general and special education.
- X** Deceased (KIDS D28-10)
- T** Moved, known to be continuing (KIDS D28-2) – Students who moved outside of the responsible LEA’s catchment area and the LEA has obtained evidence student is enrolled in General or Special Education in another Kansas district or agency.

P. BEHAVIOR INTERVENTION PLAN (BIP)

A. Problem Behaviors

1. Define the observable and measurable behaviors. Include estimate or count of frequency and duration.

B. Functions of Behavior

1. The *hypothesized* functions of these behaviors are: (Please list.)

C. Replacement Behavior

1. Identify behaviors in a very specific way. These behaviors need to be observable and measurable.

D. Interventions

1. Determine whether the student knows how to do the positive replacement target behavior or if it needs to be taught. If it needs to be taught, determine who will provide the instruction and when and where it will occur.
2. Identify changes in schedule, curriculum, and instruction.
3. Determine what is reinforcing for the student. Observe the student during free time.
 - a. Consider privileges, concrete (tangible) reinforcers, free time, computer time, time with an adult, reduced assignments, time with younger students, reinforcer given by parents at home, special outings, etc.
 - b. The younger the student, the more frequently reinforcement needs to be given.
 - c. The more severe the behavior problem, the more frequently reinforcement needs to be given.
 - d. Reinforcement needs to occur more frequently when starting the plan, and then the frequency can be gradually reduced, as the student becomes more successful.
4. Negative Consequences

These need to be monitored for effectiveness and be rethought if these escalate the behavior.

 - a. Consider loss of privileges, response cost, added work, loss of recess time, alternate placement, inclusionary time-out, study carrel, etc.
 - b. Consequences should move from less to more severe. If using a point sheet, student should not be able to earn points while the negative consequence is in place.

5. Progress Monitoring

- a. Set a date to review the plan. Remember that it may take some time for the plan to work, so it is important to persist and be consistent.
- b. Decide how you want to measure behavior changes. This plan should include objective and subjective measures.
- c. Think about how much change you want to occur by the time of the review meeting.
- d. If the plan is not working, go back and review each part of the plan.
- e. The plan should be reviewed at least once a semester and more frequently for more severe behaviors.
- f. Critical Incident Report. If a student is currently on a BIP, and he/she engages in behavior that is not typical for the student (i.e., when the behavior is not covered on the student's BIP) or when the student's behavior requires a physical response, a Critical Incident Report must be completed and a copy given to the building principal, school psychologist and the director.

IV. DISCIPLINE

The goal of discipline is to provide positive support to students. This translates into helping students build on strengths so shortcomings can gradually be improved upon through a positive rather than a negative approach.

Discipline is not punishment. Too often, adults concentrate on negatives rather than positives, thus students hear more negative than positive remarks about themselves. Prevention of problems is far more preferable than reactive interventions. Thus, teachers should be in close proximity to students, continually model the behaviors expected of students, and above all else, listen to students and attempt to understand their needs.

Good discipline may be described as a friendly yet businesslike rapport in which students and teachers work cooperatively toward mutually recognized and mutually accepted goals. Distractions, frictions, and disturbances that interfere with the optimum functioning of the student, the classroom, and the school are held to a minimum. Good discipline requires more than a "bag of tricks". It requires a basic philosophy from which specific techniques emerge. Good discipline is positive – not negative. It is helping a student adjust to the requirements of his/her environment rather than punishment for not having adjusted. It is turning unacceptable conduct into acceptable conduct.

The ultimate, unique achievement of good discipline is self-discipline on the part of the students. Experience tells us that not all groups or all individuals are likely to become completely self-disciplined within the school years, yet that is the goal towards which we strive.

A. EXPECTATIONS OF TEACHERS

- Be orderly. An orderly, well-run classroom sets the stage for orderly conduct.
- Assertively and clearly communicate your classroom behavior standards immediately. Be sure they are reasonable, kept to a minimum, well understood, and fairly and consistently enforced.
- Use an adult approach. You should be the adult example of the conduct you are teaching. Therefore, be punctual to class, faculty meetings, and committee meetings. Get things done and turned in on time. Be sure you know and meet deadlines. Be professional; do not gossip.
- Control your emotions. Discuss or explain, but do not argue. Admit your mistakes. Show your sense of humor.
- Refrain from using group discipline. This is unfair to the innocent, and it is unrealistic if you hope that the group will further punish the guilty ones. Such action on your part only arouses the **JUSTIFIED** resentment of those whose support you need.
- Generally speaking, threats do not work. If you predict a certain punishment for a certain situation, be sure that it can be carried out. Otherwise, you lose credibility with students.
- "Put down" words or statements to students are indefensible to parents and anyone else who hears about it. You create hard feelings, and it reflects poorly on you. (Some data indicates that it takes four to seven positives to balance one negative towards a student.)
- Avoid penalties that are personally and publicly humiliating to a pupil.
- Be patient.

- Contact parents immediately. Keep records of the contacts.
- Know your building's behavior code. Cooperate in enforcing school rules, order in the halls, and appropriate overall school behavior.
- Document actions of students and consequences. Keep it simple BUT keep it. Note *accurate* frequencies, rates and durations of behaviors.
- Be a resource for the teachers who deal with your students in the general education classrooms.
- When the IEP requires a specific behavior plan, be methodical in the collection of the data. Use the data to determine the effectiveness of the intervention strategy. Be ready to adjust the intervention to better meet the needs of the student.

B. SPECIFICS FOR SPECIAL EDUCATION CLASSROOMS

- All children are different and require individualization.
- Pre-teach concepts so students can experience success in the general education classroom.
- Know your students' preferences, dislikes, strengths and weaknesses.
- Build upon students' strengths.
- Provide opportunities for positive feedback.
- Use student's preferences to develop meaningful reinforcements.
- Provide a structured, predictable classroom environment.
- Prepare students for changes in daily routine.
- Plan and present tasks at an appropriate level of difficulty.
- Use age appropriate materials.
- Consider sensory factors.
- Note tasks and activities which create frustration. Modify them.
- Adjust the complexity of your language to the level of the child.
- Provide opportunities for meaningful choice.
- Pay attention to processing and pacing.
- Use concrete examples/samples and hands-on activities.
- Use organizational aids and visual supports.
- Pair verbalizations with written or picture cues.
- Encourage and facilitate independence.
- Plan for transitions.
- Teach organizational skills.
- Teach children how to respond when upset or anxious.
- Model desired actions or responses.
- Conduct rehearsals of desired actions or responses.
- Provide strong reinforcement for desired actions or responses.
- Maintain personal calmness and respect for others.
- Speak calmly and respectfully to others.
- Keep a reasonable distance – students have personal space, too.
- Approach the student in a non-threatening manner.
 - ✚ Move slowly and deliberately.
 - ✚ Speak privately, if possible.
- Establish an eye level position.
- Stay focused on the issue at hand.
- Withdraw if the situation escalates.
- Allow time for processing.
- Avoid power struggles.
- Acknowledge cooperation.
- Be brief.

- Process.
 - ❖ Review the problem.
 - ❖ Establish alternative behaviors.
 - ❖ Focus on smooth transition back to activities.

C. ADULT BEHAVIOR THAT ESCALATES A SITUATION

- ❖ Preaching
- ❖ Nagging
- ❖ Mimicking the student
- ❖ Backing student in a real or figurative corner
- ❖ Getting too close to the student
- ❖ Yelling, shouting, or raising pitch of voice
- ❖ Tense body stance, clenched fists, clenched jaw
- ❖ Touching or grabbing the student
- ❖ Using unwarranted physical force
- ❖ Sudden or very quick movements
- ❖ Defensiveness
- ❖ Arguing
- ❖ Belittling
- ❖ Drawing other people into the conflict
- ❖ Bringing up unrelated events
- ❖ Making unsubstantiated accusations
- ❖ Making assumptions
- ❖ Comparing student to sibling
- ❖ Speaking unfavorably about student's friends or family
- ❖ Attacking the student's character
- ❖ Pleading or bribing
- ❖ Using degrading, insulting, humiliating or embarrassing put-downs
- ❖ Sarcasm
- ❖ Holding a grudge
- ❖ Having a double standard: "Do what I say, not what I do."
- ❖ Insisting the teacher is right
- ❖ "I'm the boss, that's why!"
- ❖ Insisting on having the last word

D. ADULT BEHAVIOR THAT CAN DE-ESCALATE A SITUATION

- ❖ Remain calm and in control.
- ❖ Maintain an open stance.
- ❖ Calmly and deliberately lower your voice.
- ❖ Be aware of your tone of voice.
- ❖ Respect personal space.
- ❖ Respect privacy.
- ❖ Remove the student from the setting.
- ❖ Allow the student to vent.
- ❖ Listen to the student and respond empathetically.
- ❖ Avoid too much talking.
- ❖ Never, ever, argue with a student.
- ❖ Use the student's name.
- ❖ Set clear limits.

- ❖ Offer choices.
- ❖ Offer the student a face-saving path out of a potential conflict.

Afterwards, look at the incident as a teaching and learning opportunity.

- ❖ Process the incident only when you and the student are calm.
- ❖ Use good nonverbal and verbal skills. Be an active and non-judgmental listener.
- ❖ Convey caring and concern for the student.
- ❖ Guide the student through a reflection on the behavior. Try to determine the root of the problem. Avoid exploring the “why’s” of the incident. Use “who, what, when, and where” questions.
- ❖ Help the student identify the personal benefit of responding differently in the future.
- ❖ Help the student problem solve.
- ❖ End the session with an expression of confidence in the student’s ability to handle similar situations more appropriately in the future.

E.STRATEGIES

INSISTENCE ON SAMENESS:

- ❖ Prepare student for change.
- ❖ Use pictures/visual schedule.
- ❖ Use social stories.

ISSUES WITH SOCIAL INTERACTIONS

- ❖ Provide clear rules and expectations.
 - o Waiting
 - o Taking turns
 - o Negotiating
 - o Starting tasks
 - o Finishing tasks
 - o Being flexible
 - o Paying attention
- ❖ Teach the rules of social interactions.
 - o Model
 - o Role play
 - o Use social stories
 - o Use videos/TV clips
 - o Provide guided practice
- ❖ Use pictures to describe emotions.
- ❖ Teach communication skills.
 - o Requesting
 - o Getting attentions
 - o Rejecting
 - o Refusing
 - o Commenting
 - o Giving information
 - o Seeking information
 - o Expressing feeling
- ❖ Educate peers.
- ❖ Use a buddy system.
 - o Lunch bunch
 - o Study buddies
 - o PE pals
 - o Recess buddies
- ❖ Teach student how to start, maintain, and end an interaction.

- ❖ Provide opportunities to practice sharing and cooperation.
- ❖ Teach students to monitor their own behavior.
- ❖ Teach relaxation techniques.
 - o Walk it off
 - o Fidgets
 - o Deep breathing
- ❖ Provide a quiet space.
- ❖ Teach appropriate grooming.
 - o Hair brushing/combing
 - o Teeth brushing
 - o Make-up application
 - o Zipping, tying, buttoning
 - o Personal hygiene
 - o Toileting

ACADEMIC DIFFICULTIES

- ❖ Provide frequent feedback.
- ❖ Redirect.
- ❖ Use non-verbal cues to get attention.
- ❖ Break down assignments.
- ❖ Provide extra time for tests.
- ❖ Use keyboard instead of handwriting.
- ❖ Provide timed work sessions.
- ❖ Reduce homework assignments.
- ❖ Provide preferential seating.
- ❖ Use strategies for organization.
 - o Maintain lists of assignments
 - o Use a calendar or planner
 - o Frequently clean and organize desk/locker
 - o Use picture cues in desk/locker
 - o One notebook system
 - Schedule in front
 - Divider for each subject
 - Clear zipper pencil bag with list of supplies taped to the front
- ❖ Use visuals.
 - o Labels
 - o Boundaries
 - o Schedules
 - o Task organizers
 - o Guided notes
 - o Activity completion signals

EMOTIONAL VULNERABILITY

- ❖ Teach the student to ask for help
- ❖ Provide positive feedback for handling things appropriately
- ❖ Use rehearsal strategies
- ❖ Provide choices

- ❖ Implement a “Hot Pass” so student can leave when overwhelmed or anxious

- ❖ Help student to understand his/her behaviors and the reactions of others
- ❖ Educate other students
- ❖ Use a buddy system

F. ANALYZING CURRENT INTERVENTIONS

PROPER INSTRUCTION:

1. Is the instruction research-based and or appropriate?
2. Does the instruction match the skill level of the student?
3. Is the instruction motivating and rewarding?
4. Is the instruction being provided by highly qualified teachers, with fidelity?

BEHAVIORAL ISSUES:

1. Were appropriate interventions planned?
2. Are the interventions being carried out with fidelity?
3. Is the process for developing and implementing FBAs and BIPs reasonably likely to enable staff to decrease problem behaviors?
4. Are all staff members trained to implement the BIP for the student?

PROGRESS MONITORING:

1. Are there charts, graphs, or plans to exhibit student performance at the beginning and throughout the interventions?
2. Have standards and implementations enabled staff to use data to drive decision-making for improved teaching and learning?
- 3.

INTERACTION WITH PARENTS:

1. Were a sufficient number of meetings held?
2. Did a parent attend the meetings, or was there evidence of reasonable contacts?

CLEAR STANDARDS:

1. Do clear standards delineate sufficiency of progress?
2. Are standards followed consistently?
3. Is there sufficient time given for interventions to succeed?
4. Are the interventions changed based on performance?

REFERRAL PROCESS:

1. Do referrals for special education seem to be appropriate?
2. Are there standards for referrals?
3. Are continued interventions appropriate?
4. Are interventions modified and reasonable?
5. Were any referrals without prior general education interventions reasonable?

G. OBSERVING ANTECEDENTS

LOCATION _____ **DATE** _____ **TIME** _____

1. Who is present?
2. What is each person doing?
3. What activities are taking place? (Be specific.)

4. Are there any activities or events that are out of the ordinary for the time and location?
5. What type of lighting is in the location?
6. What is the temperature of the location?
7. What is the noise level?
8. What odors, if any, are present?
9. What potential distractions, if any, are present in the surrounding locations?
10. Are choices available to the people present?
11. Is assistance available, should a person need assistance?
12. Other potential environmental triggers?
13. Other potential curriculum or instructional triggers?
14. Other potential physiological triggers?

H. DEVELOPING EFFECTIVE BEHAVIOR INTERVENTION PLANS

1. Build relationships.
2. Redefine behaviors.
3. Find the reason
4. Replace the behavior.
5. Reinforce the behavior.
6. Restructure the environment.
7. Reduce behavior.
8. Re-evaluate based on data.

I. EMERGENCY SAFETY INTERVENTIONS

Emergency safety interventions 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.

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.

Before using an emergency safety intervention, a school employee witnessing the student's behavior must have determined that less restrictive alternatives to emergency safety interventions, such as positive behavior interventions support, were inappropriate or ineffective under the circumstances.

An emergency safety intervention shall be used only when a student presents a reasonable and immediate danger of physical harm to such student or others with the present ability to effect such physical harm. Violent action that is destructive of property may necessitate the use of an emergency safety intervention if there is a reasonable and immediate danger of physical harm. An emergency safety intervention may not be used for purposes of discipline, punishment, or for the convenience of a school employee.

Physical restraint means bodily force used to substantially limit a student's movement. Physical restraint is NOT:

- Consensual, solicited or unintentional contact and contact to provide comfort, assistance or instruction;
- physical escort;
- prescribed treatments for a student's medical or psychiatric condition by a person appropriately licensed to issue these treatments;
- protective or stabilizing devices either ordered by an appropriately licensed professional or required by law;
- any device used by a law enforcement officer in carrying out law enforcement duties;
- seatbelts and any other safety equipment when used to secure students during transportation.

Prohibited types of restraints:

- Prone, or face-down, physical restraint;
- supine, or face-up, physical restraint;
- any physical restraint that obstructs the airway of a student;
- any physical restraint that impacts a student's primary mode of communication;
- chemical restraint ("chemical restraint" means the use of medication to control a student's violent physical behavior or restrict a student's freedom of movement.); and
- mechanical restraint ("mechanical restraint" means any device or object used to limit a student's movement).

Seclusion means placement of a student in a location where:

- The student is placed in an enclosed area by school personnel;
- the student is purposefully isolated from adults and peers; and
- the student is prevented from leaving, or the student reasonably believes that such student will be prevented from leaving, the enclosed area.

An emergency safety intervention may not be used with a student if the student is known to have a medical condition that could put the student in mental or physical danger as a result of the use of an emergency safety intervention unless not using an emergency safety intervention would result in significant physical harm to the student or others. The medical condition must be indicated in a written statement from the student's licensed health care provider, and a copy of which shall be provided to the school and placed in the student's file.

When a student is placed in seclusion, a school employee shall be able to see and hear the student at all times.

If a seclusion room has a locking door it must be designed to ensure that the lock automatically disengages when the school employee viewing the student walks away from the seclusion room, or in cases of emergency, such as fire or severe weather.

A seclusion room must be a safe place. The room must have good ventilation and lighting, and be free of any condition that could be a danger to the student. The room must also be similar to other rooms where students frequent.

Seclusion is not time-out, which is a behavioral intervention in which a student is temporarily removed from a learning activity without being confined.

J. RE-ENTRY AFTER SHORT TERM SUSPENSION

Special education students are particularly at-risk for dropping out of school after a suspension. During the absence from school, students often fall behind in course work. Often times, too, the issue that resulted in the suspension is never really resolved. Thus, a team of staff members will be required to meet with an IEP student upon his/her return to school after a suspension. The team should include an administrator, the IEP case manager, the student, a parent, and others as requested. The meeting should occur on the first day back from suspension. An action plan should be developed at the meeting. Follow up will be built into the action plan. (See the form below.)

K. Post-Suspension Meeting

Worksheet/Action Plan

Date:

Those in attendance:

- 1. What specific behaviors resulted in this suspension?**
- 2. Who was involved?**
- 3. Where did the incident occur?**
- 4. Are there any other circumstances that were pertinent to the situation that need to be addressed?**
- 5. What supports does the student need to prevent this problem in the future?**
- 6. List the specific course of action that will be in place at the end of this meeting.**
- 7. List adults who will provide follow-up and feedback.**
- 8. How often can the student expect to see an adult for follow-up and feedback?**
- 9. What is the emergency plan if things get tough?**

L. IDEA REQUIREMENTS FOR LONG-TERM SUSPENSION OR EXPULSION

IDEA grants schools authority to use traditional disciplinary methods such as time-out and detention. It also allows the use of suspension as a disciplinary tool, so long as the suspension does not constitute a change of placement. The law also requires suspension or expulsion to be used with special education students only if this penalty would apply to the general student body for the same type of misconduct.

The extraordinary protections of IDEA are triggered only when a disciplinary sanction constitutes a change of placement. A change of placement is deemed to occur if the student is removed from school for more than 10 consecutive school days or for more than 10 school days cumulatively in a school year through a series of removals which constitute a pattern of removal. The definition of school day includes partial days when children are in attendance at school for instructional purposes. Schools must fastidiously keep track of days of suspension for children with disabilities. Whenever the days of suspension in a school year total 10, the school must consider if a pattern of removal is established. If there is any doubt, the school should err on the side of finding a pattern. If a pattern exists, the next day of suspension results in a change of placement, triggering additional rights under IDEA.

Recognizing students are frequently totally unsupervised if suspended, many schools prefer to use in school suspension, at least for first-time offenders or less serious offenses. Whether days of in school suspension count as days of suspension for determining if a change of placement has occurred depends on the nature of the in school suspension environment. The analysis section of the federal regulations suggests a day of in school suspension should not count for change of placement purposes if, while in the in school suspension, the child is afforded an opportunity to:

- Receive the services outlined in the IEP;
- Continue to appropriately progress in the general curriculum; and
- Participate with nondisabled students to the extent he or she would have in his or her current placement.

On the other hand, if in school suspension is solely a place where students are warehoused without instructional supervision, the days do count as days of suspension for change of placement purposes. Although the law requires schools to provide services to students who are suspended or expelled from school, unless the school provides services for all suspended students, services need not be provided for an IDEA student during the first 10 days of suspension in any school year. However, on the eleventh day of suspension, services generally must be provided, even if the eleventh day of suspension does not result in a change of placement. In this instance, school personnel, in consultation with the child's special education teacher determines the extent to which services are necessary for the child. The school must provide services, to the extent necessary, to allow the child to appropriately progress in the general curriculum and advance toward achieving IEP goals. In rare cases, school personnel may determine no services are necessary for these purposes, but the school should err on the side of providing services.

School personnel cannot remove a child with disabilities from that child's educational placement if the removal constitutes a change of placement unless:

- School officials are specifically authorized to do so ("special circumstances");
- Parents consent to the change; or
- The child's behavior is not a manifestation of the child's disability.

The 2004 amendments make it clear a school can impose a long-term suspension or expulsion on a special education student in the same manner and for the same duration it would impose this discipline on a regular education student for the same misconduct. However, there is one exception: if the student is a special education student, the school must continue to provide the student with a free appropriate public education. These services can be provided in an interim alternative educational setting.

SPECIAL CIRCUMSTANCES

Under the law, school districts generally do not have unilateral authority to change the placement of a child. Parents are entitled to notice of the change the school proposes to initiate and to notice of their procedural safeguards. Parents have the right to participate in placement decisions and meetings to modify the IEP, if such meetings are necessary to effectuate the change of placement. Parents can request due process or mediation if they disagree with the proposed change of placement. Generally if due process is requested, the student must “stay put” in the current placement.

School personnel do have authority, however, to determine a child will be placed in an appropriate interim alternative educational setting for not more than 45 school days if the child commits one or more of the following offenses at school, on school premises, or at a school function under the jurisdiction of any public school:

- Carries or possesses a weapon;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance; or
- Inflicts serious bodily injury upon another person.

In these cases, whether the misconduct is a manifestation of the disability or not, school personnel can determine the student will be moved to an interim alternative educational setting. But, it is the IEP team who determines the services which will be provided in the setting. At a minimum, these services must enable the student to:

- Continue to participate in the general curriculum, although in another setting;
- Progress toward meeting IEP goals; and
- Receive a functional behavioral assessment and/or behavior intervention services and modifications designed to address the misconduct so the behavior does not recur.

THE MANIFESTATION DETERMINATION

When any disciplinary action which constitutes a change of placement is contemplated for a child with a disability, the parents of the child must be notified of the decision and of all procedural safeguards accorded under IDEA not later than the date on which the decision to take the action is made. As soon as possible, but not later than 10 school days after the date on which the decision is made to take the action, the school, the parent, and other relevant IEP team members, as agreed to by the parent and school, must review the relationship between the child’s disability and the behavior subject to the disciplinary action to determine whether the behavior in question was a manifestation of the student’s disability. A manifestation determination is not required if the suspension does not constitute a change of placement.

The law sets forth the items the IEP team must consider and the findings the team must make in order to determine if the behavior in question was not a manifestation of the disability. The 1997 amendments to IDEA suggested the IEP team for manifestation determination purposes may include “other qualified personnel” in addition to regular IEP team members. While the specific provision was removed in the 2004 amendments, either the school or the parent can always include individuals with knowledge about the child or the child’s disability on an IEP team. When considering whether a student’s behavior is a manifestation of his disability, those with knowledge of how the disability can have an impact on behavior will be helpful. In conducting the manifestation determination, the IEP team can determine the behavior was not a manifestation of the disability only if:

- The IEP team considers, in terms of the behavior subject to disciplinary action, all relevant information in the student’s file, including the student’s IEP, any teacher observations and any relevant information provided by the parents.
- After considering this information, the IEP team then determines that:
- The conduct in question was not caused by or had no direct or substantial relationship to the student’s disability; and

- The conduct in question was not the direct result of the school’s failure to implement the IEP.

If, and only if, the IEP team makes these determinations can the child be subject to suspension in excess of 10 days. Questions of whether the (1) student’s IEP and placement were appropriate, (2) whether the student’s disability impaired the ability of the child to understand the impact and consequences of the behavior subject to disciplinary action, or (3) impaired the ability of the child to control the behavior subject to the disciplinary action have been removed from the statutory requirements. However, these questions may still help in determining if the conduct had a direct or substantial relationship to the disability.

Behavior is not a manifestation: If the IEP team determines the behavior was not a manifestation of the disability, the district may proceed with student suspension and expulsion proceedings under K.S.A. 72-8901 *et seq.* In this case, the district must ensure that the special education and disciplinary records of the child are transmitted to the suspension or expulsion hearing officer or hearing committee for their consideration in making the final determination on the disciplinary action. Even if the hearing officer or committee determines that the child should be suspended or expelled, the district must continue to provide a free appropriate public education for the student. The child’s IEP team determines the extent to which services are necessary for the student. Services must be provided to the extent necessary to enable the student to appropriately progress in the general education curriculum and advance toward achieving IEP goals. Additionally, behavioral intervention services or supports must be provided to help ensure the misconduct will not recur.

IDEA does not mandate where these services be provided. They may be provided in the home, in an alternative school or in any other setting from which the student has not been suspended or expelled. Generally, in this situation, the location where the services will be provided will be suggested by the school district; however, the setting must ensure that the child continues to receive FAPE, and parents participate on the IEP team that makes the placement decision. Parental consent to placement in the disciplinary context is not required, even under Kansas law.

Behavior is a manifestation: Where the manifestation review indicates the student’s misconduct was the direct result of the school’s failure to implement the IEP, the IEP team must conclude the behavior was a manifestation of the disability. However, mere technical violations in the IEP or placement which are unrelated to the child’s educational or behavioral needs might not dictate a finding that the behavior was a manifestation of the disability. When a manifestation determination results in finding the current IEP was not being implemented, the school should take immediate steps to remedy the deficiencies in implementation.

If the IEP team determines that the child’s behavior was a manifestation of the disability, the child cannot be subject to discipline for the behavior. Imposing discipline in this circumstance would be the equivalent of punishing the student for having a disability. However, the IEP team may recommend a change of placement if it concludes the current placement is inappropriate in light of the behaviors. If parents disagree with this recommendation, again the parents may request due process or mediation. If due process is requested, the child must “stay put” in his or her then current placement, pending the outcome of the due process proceedings, unless the school and the parents agree to another setting.

Even if the behavior is a manifestation of the disability, the school can move the child to an interim alternative educational setting if the behavior involves special circumstances – i.e., weapons, drugs, or serious bodily injury to another at school, on school property or at a school activity. Similarly, the hearing officer may order an interim alternative educational setting if the school district shows the behavior is substantially likely to result in injury to the child or others.

V. TRANSITION SERVICES

A. PHILOSOPHY

Transition, as it relates to this process, occurs when special education students and students with special needs move from one program/building to another. The purpose of transition planning is to implement a process that will ensure a successful transition for students, staff and parents. The transition process supports the following district goals:

- ❖ To ensure that relevant information is passed on from current to future staff;
- ❖ To ensure parents and students the opportunity for communication and information regarding the transition;
- ❖ To ensure effective communication among building teams;
- ❖ To ensure the child's and parent's adjustment and successful start with the new school/program and staff.

B. PLANNING FOR STUDENT TRANSITIONS BETWEEN PROGRAMS AND BUILDINGS

At Age 3

When a child moves from Infant-Toddler to ECSE services, there is at least one transition meeting. Parents, Infant-Toddler, and ECSE staff attend these meetings. Everyone discusses the child's needs. The parents give their ideas, and the Infant-Toddler staff talks about what they have seen while working with the child and family. At one of these meetings, the group will write a new plan for the child. An Individualized Education Program (IEP) must be in place before the child's third birthday. Parents must give consent to the IEP and for the placement of their child.

Before Entering Kindergarten

The year before entering Kindergarten, the team will talk about the child's current progress and what s/he should be doing the next fall. The ECSE team should invite a Kindergarten teacher, the special education teacher and the principal of that building to the IEP meeting. If this does not happen, a separate transition meeting must take place in the spring prior to the student entering Kindergarten. The anticipated services must be spelled out for the *entire IEP year* along with parental consent for the services. Changes must be recorded on the Teacher Information Page, as well.

Before Entering Middle School

The sending teacher must invite the 6th grade special education teacher and an administrator from the middle schools to the regular IEP meeting. If this does not happen, they must, at minimum, obtain input from that teacher in order to write appropriate goals. A separate transition meeting must take place. Anticipated services must be spelled out for the *entire IEP year* along with parental consent for the services. Changes must be recorded on the Teacher Information Page, as well.

Grade 8 to HS

The sending teacher must invite a high school special education teacher to the regular IEP meeting. If this does not happen, they must, at minimum, obtain input from that teacher in order to write appropriate goals. In the spring, a separate transition meeting must take place to discuss the move to the high school. Anticipated services must be spelled out for the *entire IEP year* along with parental consent for the services. Changes must be recorded on the Teacher Information Page, as well.

Federal law says when the student is 14 years of age the IEP team must identify the student's transition service needs as they pertain to the transition from school to adult life. By age 16, a statement of needed transition

services guides the IEP process. The IEP team must consider what transition services are needed and write these services in the IEP.

Transition from High School to Adult Life

It is recommended that transition planning from high school to adult life begin as early as possible. Formal planning for transition to adult life often begins when the student turns 14 years of age. Although it may seem that there is ample time to postpone transition planning until the last year or two of secondary school, it is important that parents, advocates, school personnel and adult service providers begin to consider long-term planning for the student in the following areas:

- Outcomes/Vision/Instruction
- Community Experiences
- Current and Future Daily Living Skills
- Vocational Evaluation
- Employment/Post-Secondary Training
- Outside Agencies
- Related Services
- Graduation Plan
- Post-Secondary Goals

Transition planning is a shared responsibility between parent/guardian, the school, the student, and adult service providers. To be effective, the planning process should be a collaborative effort among the student, family, school, and adult service providers. The identification of desired post-school outcomes is the driving force behind transition planning, so the outcomes will frame the objectives of the IEP and set the directions of the day to day activities. The transition section of the student's IEP is developed through a meeting of the collaborative team. There are a variety of tools or processes for conducting the meeting. Some questions to be answered are listed as follows:

- Who is this person and what is his/her story?
- What is the dream for the future?
- What is the nightmare? (Situations or outcomes to avoid.)
- What are his/her strengths, abilities, gifts, and talents?
- What are his/her needs?
- What is the plan of action?

Regardless of the process or format used to conduct the transition planning meeting, the end result should be a section of the student's IEP that targets desired outcomes for adult life, specific current needs, a plan for addressing those needs, identification of the agencies/persons responsible and time lines. Subsequent planning meetings will need to be arranged to review the plan, check that specific objectives have been achieved, that the long term goals are still appropriate and necessary revisions are made (Freeze, 1995).

The role of school personnel is to continue to provide opportunities for the student to develop skills for work and independent living. The day-to-day program and instruction for the student increasingly focuses on developing functional skills and community-based training. The range of expectations will depend on the student's ability and needs. For example, some students with Asperger's syndrome may plan to go on to further education following secondary school. Consequently, there will be a greater emphasis on academic preparation in addition to work experience, development of job-related skills and skills for leisure and recreation. For others, the program may focus on work experience, community-based training and self-care.

In general, the school program prepares the student for transition through the following:

- Providing a variety of work experiences to help the individual determine preferences
- Encouraging participation in extracurricular activities and social events
- Encouraging volunteer work
- Helping with developing a resume'
- Training in social skills for the job place
- Teaching appropriate dress and hygiene
- Providing on-the-job preparation, once preferences have been established
- Training in the use of public transportation
- Training in self-care
- Training in self-management
- Teaching functional academics appropriate to the ability level of the student

Kansas law requires the school to notify Kansas Rehabilitation Services (KRS) about students who may qualify for or be interested in transition planning or rehabilitation services. (Applications are available through the school psychologist or transition coordinator.) The IEP team decides if a KRS notification about the student is needed. If so, the school obtains parental consent to release appropriate information to the local KRS transition rehabilitation counselor. Someone from that agency is asked to come to the IEP meeting and participate in making decisions about goals and services. If it is determined that a referral is not needed, the IEP team must document why.

Transition services are meant to be individualized. Each student requires something different, or at different times or places. Parents, teachers, agency staff, counselors, *and* the student should be thinking about what will be needed in the future. Smooth transitions from school to work, to other schooling, or to community activities should be the goal of all parties involved with the student.

When a student turns 18, his/her rights are transferred from the parent/guardian, unless a court orders otherwise. When they near his/her 18th birthday, the case manager must send a notice of this transfer (Transfer of Rights).

Parental or student consent (if student is 18) must be obtained for the student to be dismissed from services. If the student is graduating, the case manager must write a Summary of Performance (found in this section and accessed on WebKIDSS) for a student to be dismissed.

Examples of KRS release, transition survey for parents, interest interview for students and Transfer of Rights letter to parents are all found in this chapter.

C. SPED WORK/STUDY CRITERIA

The purpose of the Special Education work/study program at the High School is to provide part-time job experience during the school day for students who are on IEPs. Various job sites within the school district as well as in the community are available. Students are placed in this program by the IEP team, thus, specific needs and skills of the student are addressed. Transportation to and from the job site is provided if deemed appropriate by the IEP team.

The following criteria should be considered prior to placing a student in a SPED Work/Study program.

- Student has completed the *Brigance Transition Skills Inventory*.
- Student has completed transition activities, including career exploration and application/interview simulations.
- Student has completed activities related to skills for a work setting.
- Student must be 16 or turning 16 in the IEP year.

- Student must require assistance in securing a job.
- Student requires transportation to the job site.
- Student may require job coaching

E. JOB TRAINING

Placement for job training will be made for students who meet the following criteria:

- Student maintains personal hygiene.
- Student can follow safety procedures.
- Student has completed the *Brigance Transition Skills Inventory*.
- Student has completed a needs assessment or vocational evaluation.
- Student requires activities that are repetitive.
- Student has completed work activity training that includes skills for a work setting.
- Student must be 16 or turning 16 in the IEP year.
- Student requires direct and individualized job training.
- The IEP team makes the decision based on the data outlined above.

For many students in high school and in our Bridges (18-21) Program, teachers may find the following “Now You’re 18” protocol to be helpful to address with your students. Use/modify it as you see fit.

NOW YOU’RE 18

When you turn 18, you are considered an adult in many areas of your life. Things will change. Some of the things that change are at school.

You will be a partner with the school in your Individualized Education Program (IEP) meetings.

- You will get to decide with the school on the date, time and place of the IEP meeting.
- The school must send you a notice of the IEP meeting.
- The school must send you notice of procedural safeguards (your educational rights).
- You will attend the IEP meeting.
- You may invite other people to go with you to the IEP meeting.

You will make decisions about your IEP.

- You and the school will decide what goes into your IEP.
- You decide if you agree with a change of placement and sign your name.
- You decide if you agree with your IEP.
- You receive a copy of your IEP.
- If you disagree with the plan and services the school proposes in the IEP, you may ask for mediation or a due process hearing.

You have the right to make other decisions.

- If the school wants to do an evaluation, you decide if you want to participate in the evaluation.
- If the school wants to give a copy of your educational records to someone else, you decide if you want the school to do that.
- If you want the school to give your educational records to someone else, the school must get your written consent to do that.
- If you think the school’s evaluation is not accurate or incomplete, you may ask for an independent educational evaluation to be done.

Other things to remember:

- You should ask questions to make sure you understand your IEP.

- You may ask for a meeting any time you think you need one.
- You may look at your school records. And ask that they be changed if they are not accurate or complete.
- You may file a complaint if you believe the school is not following your IEP.
- You may ask for assistance to file a complaint or to get mediation or to start a due process hearing.
- You may ask someone to be your advocate in a meeting, mediation, or due process hearing.
- You will receive a copy of the report of any evaluation the school does for you.

PARENT NOTIFICATION OF SIT OR MTSS STRATEGIES

The question is often asked, “At what point do we get the parent involved in SIT or MTSS?” The recommendation is that parents are involved from the very beginning of the process. Parents usually know their student has an issue and are worried about it. If they are from certain backgrounds, they are suspicious about what “the school” might “do”. If you have them involved from the very beginning, it eliminates the suspicion. It becomes what it should be – a partnership in problem-solving for the sake of the child. Parents have an enormous wealth of student t-specific information. They know sleeping habits, eating habits, exercise habits, homework habits, friends, fears, worries, joys, and re-enforcers. They also need to know what we are seeing at school. Parents need to see the data we are collecting and the decisions being made based on that data. They need to see that a wide array of strategies is being tried. They need suggestions about what they can do at home to support the efforts at school. At certain decision points, parents will be asked to sign consent. This is better done if they are fully informed. Parents, even the most difficult ones, are your best ally in solving student problems. Cultivate those relationships and the child will usually benefit.

MONTHLY NEWSLETTER QUESTIONS

Each month around the first of the month, ECKCE will produce a newsletter which contains information about upcoming events, articles helpful in dealing with general issues in special education and answers to questions tht the director receives in the office, either by phone or email. Questions on dealing with procedures are always encouraged and will be answered specific to the circumstances of the situation, but may be published in the newsletter for educational purposes, with names changed to protect anonymity. If you would like your question not to be used, please specify that when asking and your request will be honored.

GIFTED TEST-OUT

As required by K.A.R. 91-40-3(g), (h), all gifted students shall be allowed the opportunity when requested to test out of and receive credit for, required and/or prerequisite courses. The student’s IEP must reflect the test-out details, as well as any accelerated content and pacing expectations and plan for completion.

If the student wishes to test out of a course, the student shall make a written request to the instructor of the courses he/she is requesting credit for, at least two weeks prior to the scheduled start of the course. Within two weeks of the time the request is received, the teacher or subject area department representative of that course will design a summative assessment or project, (it may be the existing final examination for that course at the discretion of the instructor), which reflects the basic goals of the course content. In order to receive credit for the course, the student must demonstrate 90% mastery of the material on the initial attempt. Students may not exercise this option for courses they have completed and failed, courses already started and not completed, nor to improve an earned grade.

In the event that mastery is achieved, the student shall receive passing credit and the IEP team will determine an alternative course of study. In the event that the student wishes to work at an accelerated pace, the gifted facilitator and a subject area department representative will work together to design the alternative.

Individual high schools within the interlocal may develop their own communication forms delineating student expectations and protocol which shall be managed by the individual schools’ counseling departments.

PARAPROFESSIONALS

Paraprofessionals are an integral part of the ECKCE workforce. We rely upon our paraprofessionals to work alongside the teacher to deliver supervised instruction and assistance to students as outlined within their individualized education plans. The following are guidelines for paraprofessional expectations.

ECKCE Paraprofessionals:

- Are employees of the ECKCE who function under the governance and direction of the Board Policies and Procedures.
- Shall sign a work agreement that has been approved by the director and the Board. The number of paras employed is determined by need and at the discretion of the Director in concert with the administrative team at each building.
- Shall make application through the ECKCE approved application sites. Positions will be advertised on these sites by building or district location was appropriate.
- Shall be interviewed by the administration at each building in collaboration with the team with whom they will be assigned. Typically principals will make recommendations to the ECKCE Board for hire.
- Shall be assigned duties by the school team in conjunction with school administration and the Director. Should confusion arise as to the assigned duties, the Director will have the final authority.
- Shall be placed on the ECKCE Board approved Para wage scale by the Director in accordance with experience, assignment and education.
- Shall provide information to complete a background check successfully.
- Shall work on student contact days and any required inservice hours/days. Any additional assigned time must be approved by the Director prior to the assignment.
- Must maintain confidentiality at all times. Paras may not discuss students by name in any context outside of the school environment and only with those who have cause to participate in those conversations.
- Shall serve in the appointed capacity working with students with exceptionalities as defined by IDEA and Kansas statutes. Any deviation from this must be preapproved and documented through time and effort logs per federal and state requirements.
- Shall be evaluated annually by the supervising teacher under the direction of building administration. This evaluation will be reviewed with the paraprofessional and copies given to the para, the principal and the Director by April 30. Recommendations for continued employment will be made at this time and if a recommendation for non-renewal of the agreement is necessary, the para will be notified by the Director after consulting with the Principal. Continuation of employment is at the discretion of the Director.
- Shall complete the requisite professional development hours as required by Kansas Statute. Paras are required to complete 20 inservice hours per year for the first three years of employment and 10 hours each subsequent year. These hours are comprised of ECKCE inservices, on-the-job training provided by the supervising teacher, building inservices and additional training opportunities such as CPR/First Aid, Crisis Prevention Intervention, etc. All sponsored inservice hours completed on workdays are compensated at the employees regular rate of pay. If additional inservice hours to complete the 20 hour requirement are not completed during school hours, the para may choose to complete these on their own time but will not be compensated for the time spent completing them. All inservice hours, including those done as a group, must be documented on an Inservice Log form and turned in upon completion to the Paraprofessional Clerk at the Board office.

A. EMPLOYMENT

Paraprofessionals (paras) are employed by the interlocal with an *agreement at will*. This is an agreement, not a contract, and is traditionally set up for one school year. This agreement also means that the para or the interlocal may terminate the employment at any point during the school year.

It is recommended that teachers, working with their building principal, notify the Director of Special Education in March their recommendations regarding para employment for the following school year. Effort will be made to accommodate these requests. Exceptions will be based on current caseload and the individual needs of students being served in each program. If greater student need exists in another classroom, paras may be transferred or re-assigned at the discretion of the Director.

B. QUALIFICATIONS

A high school diploma is required. Experience with children is preferred. “No Child Left Behind” requires instructional paraprofessionals in Title 1 buildings meet one of three criteria: have 48 hours of college; have an Associate’s Degree or higher; or pass a test that assesses the ability to assist in instructing reading, writing and mathematics.

C. PARAPROFESSIONAL IN-SERVICE

Paras with less than three years of experience **must** complete **20** hours of in-service per school year, or a minimum of 2 hours per month for each month of employment. Paras with more than three years of verified experience **must** complete **10** hours of in-service per school year. Fewer hours may lead to probation, freeze in wages, and/or dismissal. It is the **joint** responsibility of the supervising teacher and the para to make certain in-service hours are completed. It is recommended that in-service be completed, documented and on file in the director’s office by **March 15th**. Forms for documenting in-service will be provided by the director’s office. Paras are encouraged to keep a copy of the in-service form for their records; a master file for each para is kept at the director’s office.

Each local education agency must adopt and have on file a plan for staff development for special education instructional paras. Each local education agency must prepare and maintain documentation of the annual staff development provided for paras for a period of at least 3 years.

ECKCE staff development program will include the following:

1. Orientation annually to ensure compliance with confidentiality and other requirements, maximum of four hours (Note: beginning of year in-services in which special education issues are on the agenda is considered orientation.); and
2. Staff development activities specifically related to the type of program in which the para is employed.
3. Staff development activities for paras will include various levels of staff development opportunities:
knowledge/learning: in-service, workshop, study group, observation, child-specific presentations;
application/skill development: guided practice, implementing strategies/ideas, peer coaching;
and **impact:** documenting effect of implementation with students. Knowledge hours are based on one hour for each contact hour.

D. TIME AND ATTENDANCE

Paraprofessionals should clock in at the time clock location specified at their assigned buildings. The clock-in time should not be more than 8 minutes prior to their assigned clock-in time unless prior arrangements are made. Likewise, paras should not clock out more than 8 minutes after their assigned clock out time. Paras are assigned a 30-minute lunch period and must clock out and back in for lunch. Should a time clock punch be missed, the ECKCE office should be notified to correct the punch.

E. LEAVE FOR PARAPROFESSIONALS

The Interlocal shall allow 10 days of leave each year, accumulative to 50 days.

During the first year of employment, the paraeducator shall be granted ten (10) days of discretionary leave to be allocated in five (5) day increments the first day of each semester. In the event of serious illness of the employee or family member during the first semester, as substantiated by doctor's notes, the director shall have the authority to advance the second semester days for use by the employee. When leave for any semester is exhausted any additional missed days will be without pay. When a paraprofessional has accrued 15 days (105 hours) of leave time, they may choose to sell those days back to the interlocal at a rate of \$30 per day at years' end. The paraprofessional must notify the interlocal of their intention to do so by April 1; if notification is not made, the days will continue to accrue up to 50 days. All accrued leave will be forfeited upon employee termination. Should the employee leave employment through KPERS retirement or death, the employee or their beneficiary will receive compensation for any accrued leave at the rate of \$30 per day, pursuant to meeting the required minimum 15 days.

The Interlocal shall also pay for six specified holidays as follows; **Labor Day, Thanksgiving (2 days) Christmas (2 days)** and **New Year's Day**, during the contracted year.

F. TRANSFERS

Transfer to another program may be requested, in writing, to the director. Teacher, para, and building administrators must be in agreement to the change of placement prior to the transfer.

G. UTILIZATION OF PARAPROFESSIONALS IN THE CLASSROOM

The special education para is a team member who works alongside the special education teacher. S/he not only frees the teacher from the more routine tasks of the classroom, but also serves as an effective part of the educational team. With differentiated responsibilities, s/he carries out the programs developed by the special education professionals. However, it is important to note that paras are not teachers and should not be used to take the place of one during instructional time.

In order to use a para effectively, the teacher must first have a clear vision of his/her own role as a teacher. S/he needs to understand the hierarchy of the instructional tasks and then decide which ones best involve his/her time and which ones should be delegated to his/her assistant. The amount and quality of professional supervision given is crucial in deciding what duties paras can and should perform. There is almost universal agreement that the diagnosis of educational needs and the planning and design of programs and procedures to meet those needs are professional functions. The role of the para is to provide support to the approved special education personnel in the educational program, management of students, and assistance with non-instructional tasks. It is not the purpose of para support to foster dependence in a student. Data should be kept to determine the kind and the amount of support that meets the needs of the student. As the child gains skills and confidence, this support should be faded. As it pertains to IEPs, inclusion time (which actually translates into the amount of time a para spends with a student) should not be given in a blanket statement. Rather, it should be given in terms that provide coverage during specific kinds of activities. Again, this should be based on the needs of the student and data should be kept. The principal and special education director are available for consultation with the teacher if questions or problems related to supervision of a para arise.

The following chart differentiates between teacher and para responsibilities in the classroom.

<u>Supervising Teacher</u>	<u>Paraprofessional</u>
1. Diagnoses educational needs associated with testing and other types of assessment.	1. Scores and compiles data

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| <ul style="list-style-type: none"> 2. Plans instructional programs. process; copies, transcribes, 3. Grades students' performance. 4. Takes responsibility for teaching each new concept and skill in classroom activity. 5. Revises instructional programs. | <ul style="list-style-type: none"> 2. Assists with the planning files, etc. 3. Checks and scores student work. 4. Reinforces and reviews concepts and skills. Assists students in performing activities initiated by the supervising teacher 5. Monitors student progress in instructional programs and relates findings to supervising teacher. |
| <ul style="list-style-type: none"> 6. Designs instructional materials 7. Designs and implements behavior intervention plans. 8. Communicates with parents. 9. Implements behavior programs. | <ul style="list-style-type: none"> 6. Helps develop instructional materials designed by the special education teacher. 7. Monitors and reinforces student performance on behavioral interventions through observation; may assume data collection and other record keeping duties. 8. Maintains records associated with the parent conferencing procedure; may confirm conference dates. 9. Manages students during times when the teacher is involved in the regular performance of professional duties or has emergency reasons for being out of the classroom; plays supportive management role when supervising teacher is present |

The delineation of supervising teacher and paraprofessional responsibilities offered above may be further clarified by the following list.

The Para educator MAY:

The Para educator MAY NOT:

1. Be left alone in the classroom for short periods of time when the supervising teacher is away. The supervising teacher remains responsible for the classroom at all times and must remain accessible.	1. Be used as a substitute for a certified teacher.
2. Work without direct supervision with individuals or groups of students.	2. Teach independently new concepts and skills.
3. Have specific tutorial and management responsibilities for the students.	3. Be given primary responsibility for working with individual students
4. Be involved in a student staffing.	4. Be assigned to attend a student staffing in lieu of the supervising teacher.

<p>5. Be used to support the integration of exceptional students into regular classes by tutoring these students in regular class assignments and giving tests orally, etc.</p> <p>6. Be assigned record keeping tasks relevant to the classroom assignment</p> <p>7. Assist the supervising teacher in supervision assemblies and group field trips. Take individual students on job related activities, job interviews, curriculum-based recreation, shopping ect.</p>	<p>5. Be given primary responsibility for mainstreaming one or more students or used to teach regular curriculum content to non-exceptional students **(see below).</p> <p>6. Be used to carry out clerical responsibilities usually assigned to other staff.</p> <p>7. Take full responsibility for supervising field trips, assemblies or other on teaching duties usually assigned to teacher, e.g., hall duty, extra duty, school clubs, ect.</p>
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When a para works in an inclusion setting the para *may* provide instruction to non-handicapped students. This is allowable provided the regular classroom teacher and the para remember the para's *primary responsibility*** lies with the children with IEPs.

H. ESTABLISH TEAM WORK

Teachers often have not had the opportunity to supervise other adults. The following list suggests things teachers can do to establish a good working relationship with a para.

1. Communicate daily; this is essential to building a program which is responsive to handicapped learners.
2. Listen to suggestions or ideas. Be careful not to hurt feelings if the suggestions or ideas are not taken.
3. Give the para feedback about his/her performance.
4. Model professionalism at all times.
5. Discuss problems **IMMEDIATELY**. Do not let them grow by ignoring them.
6. Give instructions that are clear and can be followed.
7. Remember all final decisions are up to the teacher.
8. Do not talk about problems with a para to other paras!
9. Ask for feedback, it helps in communication.
10. Make sure you teach classroom procedures (i.e. to restroom, recess, lunch, drinks, and fire drills) to the para.
11. Help the para become familiar with the types of children served in the classroom.
12. Help the para become familiar with your academic approach.

13. Help the para become familiar with the various types of academic equipment and materials used in the classroom.
14. Mutual respect and support between the teacher and the para must be shown at all times.
15. Work with the para on consistency in handling of rules and rewards in the classroom.
16. If work problems arise and you have discussed them unsuccessfully with your para, discuss it with the building principal. This is a personnel issue and must be handled professionally.

I. A Para's Checklist

The following list may be used to help the teacher develop an initial working relationship with a para new to the classroom.

1. What are your special and regular duties?
2. What records are you responsible for keeping?
3. What special services are available to the classroom and the school in which you work?
4. What schedules are you responsible for following?
5. What emergency provisions apply to your situations?
6. When do pupils come? When do they leave?
7. Where and when will the pupils in your classroom play?
8. What are the most significant playground regulations?
9. For what lunchtime activities will you be responsible?
10. Where are the supplies kept and how are they obtained?
11. What equipment is available and how is it obtained?
12. What is the line of communication and authority you are to follow?
13. If you are responsible for working with more than one teacher, how is your time divided?
14. What pupil records are available to you?
15. To whom should you direct questions concerning school policy?
16. With whom should you discuss a problem concerning relationships?
17. What should my response be when a parent raises a question on their child's functioning in the classroom?

18. What is expected of you in terms of pupil discipline?
19. What course should you follow if you feel that you do not have enough to do?
20. How does your teacher view the teacher/para relationship?

J. PARAPROFESSIONAL EVALUATION

Paras will be evaluated by their supervising teacher, in collaboration with their building principal when appropriate, no later than March 31 using the evaluation form found on the ECKCE website. The evaluation must be reviewed with the para and both teacher and para will sign the document, which is then sent to the ECKCE office to be placed in the paras employment file. The paraprofessional may respond to the evaluation on the form itself, or they may attach their own response at any time. Paras receiving unsatisfactory evaluation in one or more areas may be subject to corrective action, up to and including termination at the discretion of the principal and the director.