

USD #230  
Special Education Services



# PARENT GUIDEBOOK

## TO THE INDIVIDUALIZED EDUCATION PROGRAM (IEP) PROCESS

UNIFIED SCHOOL DISTRICT NO. 230 PROVIDES SPECIAL EDUCATION SERVICES FOR ELIGIBLE STUDENTS WITH GIFTEDNESS OR DISABILITIES. THIS HANDBOOK PROVIDES INFORMATION ABOUT USD 230'S PROCEDURES, ANSWERS TO FREQUENTLY ASKED QUESTIONS, AND LINKS TO OTHER RESOURCES.

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## WELCOME

Welcome to USD 230 Special Services!

Your child has been identified as needing special education services to support his or her learning at school. USD 230 wants parents and guardians to have the information they need to be active participants in the special education process.

The amount of information you have or will be receiving can seem overwhelming. This guidebook was developed with you in mind — the parent, guardian, or surrogate parent of a child (ages 3 to 21 or graduation) with exceptionalities who receives special education services in USD 230. This resource will help you understand the Individualized Education Program (IEP) and the importance of your participation in developing your child's IEP. You are a required member of your child's IEP team, and your ideas must always be considered in any of the decisions the IEP team makes.

The development of the IEP is required as part of the Federal Individuals with Disabilities Education Improvement Act (IDEA 2004), its regulations (known as 34 Code of Federal Regulations [CFR] Parts 300 and 301), and special education statutes in the state of Kansas. This guidebook will help you understand how the IEP process is carried out in Kansas public schools.

Although IEP forms vary from one district to the next, all must include the requirements defined in federal and state laws. This guidebook covers all the required parts of an IEP that are outlined in the federal regulations and gives an example of how an IEP form may look.

Every child is unique and learns in different ways. We want you to know we are here to support you and your student along this journey. Students make the greatest progress when families and schools work together as partners.

Please let us know if you have questions or suggestions about how we can best support you and your student.

Sincerely,



Cindy Dziadosz  
USD #230 Special Services Director

# HOW SPECIAL EDUCATION WORKS IN KANSAS

The information in this guide is from the [Parents' Guide to Special Education in Kansas](#) and the [Kansas Special Education Process Handbook](#).

**REFERRAL FOR INITIAL EVALUATION** Referrals for initial evaluation may come from a variety of sources. These include:

- Early Childhood Screening
- Part C Infant-Toddler Program
- General Education Intervention Team (if using an individual problem-solving team) or Grade/Content Area Collaborative Team (if using an MTSS process)
- Parents
- Self-referral by adult student

A referral for an initial evaluation is made whenever it is suspected that a child may be a child with an exceptionality\*. For a preschool child the referral may be a result of screening described in 91-40-7(b), or from a Part C Infant-Toddler program. A school age child would participate in general education interventions (GEI) prior to the referral. As a result of GEI, the school would have data-based documentation of repeated assessments of achievement at reasonable intervals, that indicate the instruction and educational interventions and strategies presented to the child in the general education setting were not adequate and indicated an evaluation for special education is appropriate (K.A.R. 91- 40-7(b)(c); 34 C.F.R. 300.309(c)(1)). Additionally, a parent or adult student may request an evaluation at any time. \*\*

Upon referral for an initial evaluation, regardless of the source, the first action the school must take is to provide the parents, or the adult student, a copy of the **Parent Rights Notice** (procedural safeguards) available to them (K.S.A. 72-988(e); 34 C.F.R. 300.503).

Special education and related services are support services for students with an exceptionality. In order for a student to be eligible for special education and related services, the student must first be determined to have an exceptionality and need specialized instruction beyond what is available within the general education setting. Once eligibility is determined, an IEP is developed and special education and related services can begin. This section gives a very brief overview of the steps in the process. More information about each step can be found in the complete Guide and the Kansas Special Education Process Handbook.

\* The term "exceptionality" is used in Kansas to refer to a disability or giftedness.

\*\*In USD 230, contact the following, in this order, to request an evaluation for Special Education.

1. Building School Psychologist,
2. Building Principal
3. Director of Special Services to request an evaluation for special education.

## Child Find and Referrals for Special Education

USD 230 is committed to providing an education that appropriately meets the needs of each student. The Special Services Department engages in age appropriate "child find" activities that locate, evaluate and identify students who are in need of special education services. "Child Find" for young children ages birth through age 5 is called a "screening; for children in kindergarten through 12<sup>th</sup> grade, "Child Find" usually begins with general education interventions.

### Early Childhood Screenings

USD 230 conducts free developmental screening for all children aged 3-5 years who reside in the district, are not kindergarten eligible, and are suspected of having developmental delays in one or more of the following areas:

- Large and small motor movements
- Speech and Language
- Self-help skills
- Early learning skills
- Behavior and social
- Hearing and vision

For more information, please visit our [Early Childhood webpage](#) on the district website or call our Child Find line to request an evaluation. 913-592-7104

Parents of children birth-2 years of age can request a screening by contacting Parents as Teachers or by calling 1-800-554-3412.

### Special Education Referrals for children ages 5-21

Students aged 5 to 21, including those who are highly mobile, migrant, and /or homeless, may be referred for special education evaluation by school personnel when a disability is suspected. Parents are notified and an integral part in the process. Parents may also initiate a referral for a special education evaluation.

The need for special education and related services is determined in consultation with parents at each Spring Hill school building site. Parents are encouraged to contact their child's School Improvement Team (SIT) with concerns about their child's progress. Further information about referrals for special education services is available by contacting the school psychologist or principal at the school, or by calling the Special Services Department at 913-592-7293.

## INITIAL EVALUATION AND ELIGIBILITY

Initial evaluation means the process of collecting information about a student for the following purposes:

1. To determine if the student has an exceptionality, based on eligibility criteria set by the Kansas State Department of Education;
2. To determine if special education services are needed for the student to benefit from an educational program; and
3. To identify the student's individual educational and social-emotional strengths and needed areas of improvement to provide a basis for appropriate intervention.

The evaluation must assess the student's needs in all areas related to the suspected area of concern. The evaluation results will be used to determine the student's eligibility for special education and related services and to make decisions about an appropriate educational program for the student. Parents will be provided Prior Written Notice and be asked to provide written consent to allow the school to conduct the initial evaluation.

Parents are specifically named as members of the team that determines if a student is eligible for services.

Eligibility has two components:

1. The student must be determined to have an exceptionality; and
2. The student must demonstrate a need for special education and related services.

The team must be certain that the concerns are not the result of a lack of instruction in reading or math, or because the student has limited English ability. Parents are to be given a copy of the evaluation report that documents the team's decision regarding eligibility and the reasons for that decision. If it is determined that the student is not eligible for special education services, the student improvement team meets again to consider other services that might be appropriate (like migrant, bilingual, special reading, or math enrichment programs) or, a student may be eligible for services under Section 504.

## WHAT IS AN IEP?

The Individualized Education Program, or IEP, is a written plan for each student identified as having an exceptionality and determined to be in need of special education services. The IEP is considered to be important to ensure the provision of a Free Appropriate Public Education (FAPE). To create an effective IEP, parents, teachers, other school staff, and often the student, must come together to look closely at the student's unique needs. These individuals pool knowledge, experience, and commitment to design an educational program that will help the student be involved in, and progress in, the general curriculum. The IEP guides the delivery of special education supports and services for the student. Without a doubt, writing and implementing an effective IEP requires teamwork. (See Chapter 4 of the Kansas Special Education Process Handbook, [Individualized Education Program](#).)

### PARENTS NEED TO KNOW

ACCORDING TO IDEA, "THE TERM FOR INDIVIDUALIZED EDUCATION PROGRAM OR IEP MEANS A WRITTEN STATEMENT FOR A CHILD WITH A DISABILITY THAT IS DEVELOPED, REVIEWED, AND REVISED IN ACCORDANCE WITH" FEDERAL AND STATE LAWS, REGULATIONS AND RULES.

34 CFR 300.320

### Defining the IEP

- The IEP is both a process and a document.
- An IEP is required for students ages 3 through 21 with exceptionalities who are eligible for special education services.
- As a process, the IEP meeting brings together people who are knowledgeable about and work with a student. The meeting is for the parents, the student, and the school staff to talk about the student's strengths and areas of needs. They also set goals, identify resources, and develop a plan for the student's education.
- As a document, the IEP serves as a legal document that guides the student's day-to-day instruction, support, and related services.
- The IEP must be reviewed annually, or more often, if needed, to make sure the student is making progress in meeting goals.

### Implementation of the IEP

The IEP is a written statement of specific special education and related services that will be provided to your child. The school must make a good faith effort to help your child achieve the goals and objectives written into the IEP by providing those services.

Each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for providing the services for your child must have access to the IEP. All must be informed of their specific responsibilities for providing a service, accommodation, modification, or support for the student or staff.

## HOW CAN PARENTS PARTICIPATE IN THE DEVELOPMENT OF THE IEP?

The IEP document is the cornerstone of the special education process and the key to services your child receives. By understanding your child's IEP and taking an active role in developing it, you can help ensure that your child receives the education and services he or she needs.

As a parent, you have the right to have information explained to you in understandable language. You know your child's strengths and needs, and you should discuss them with the rest of the IEP team. It is important for both parents and teachers to have high expectations for your child.

To help develop the goals that will enable your child to become as independent and productive as possible, you may want to ask yourself:

- What do I want for my child?
- What can he or she do now?
- What are his/her current levels of performance?
- What do we need to do so my child will continue to grow in their academic and social- emotional skills

Together, you, school personnel, and others can discuss, plan, and implement a special education program that serves your child's individualized and unique needs. There is no blueprint or prescription for an IEP. The IEP team, which includes the parent(s), will develop a program that meets your child's individual and specific needs. This flexibility is good, but it requires your preparation and participation.

### PARENTS NEED TO KNOW

*THE PURPOSE OF SPECIAL EDUCATION IS "TO ENSURE THAT ALL CHILDREN WITH DISABILITIES HAVE AVAILABLE TO THEM A FREE APPROPRIATE PUBLIC EDUCATION THAT EMPHASIZES SPECIAL EDUCATION AND RELATED SERVICES DESIGNED TO MEET THEIR UNIQUE NEEDS AND PREPARE THEM FOR FURTHER EDUCATION, EMPLOYMENT, AND INDEPENDENT LIVING"*  
IDEA 601(D)(1)

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## WHEN IEPS MUST BE IN EFFECT

**Initial IEP:** When a child has been evaluated and found to be eligible for special education, an IEP must be developed before services can begin. This document is called the initial IEP. The school must make sure that this first IEP meeting is held within 30 calendar days after a child has been found eligible for special education and related services. This must fall within the 60-day timeline from day parent consent was obtained to begin the initial evaluation.

**Annual IEP:** An IEP is reviewed and revised every year for a child receiving special education. This annual IEP may be written any time during a calendar year, but it must be in effect at the beginning of each school year. The annual IEP meeting has to be held before the previous IEP expires.

## IEP MEETINGS

You have a right to participate in all school meetings that discuss your child's identification, evaluation, placement, and the provision of a free appropriate public education (FAPE). The purpose of the IEP meeting is to discuss, develop, revise, and document a program to meet your child's individual learning needs. Each school is responsible for organizing and conducting IEP meetings. An IEP meeting must be held at least once a year.

Annual discussion topics may include:

- Progress or lack of expected progress toward the special education goals and objectives
- Progress or lack of expected progress in the general education curriculum
- New information from evaluations
- Information provided by the parents or the school
- The child's anticipated accommodations
- Transition planning beginning at age 14
- Other matters

After the IEP meeting, you will receive a Prior Written Notice containing a Parental Consent/Objection section with the IEP. This is your opportunity to agree or disagree with the planned services for your child.

Districts must make sure that special education and related services are available as soon as possible following IEP development and parent consent to the IEP.

### PARENTS NEED TO KNOW

EVERY IEP MEMBER HAS IMPORTANT INFORMATION AND EXPERTISE THAT AFFECTS THE TEAM'S ABILITY TO MAKE INFORMED, APPROPRIATE DECISIONS REGARDING YOUR CHILD'S SPECIAL EDUCATION PROGRAM. YOU SHOULD CAREFULLY CONSIDER WHETHER YOU WANT TO EXCUSE A REQUIRED MEMBER OF THE TEAM FROM THE MEETING.

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## IEP TEAM

The members of the IEP team include:

- the parent(s) (or education decision-maker);
- at least one special education teacher of the child;
- at least one general education teacher, if the child is, or may be, participating in the general education environment;
- representatives of the school with knowledge of available resources, curriculum, and special instruction;
- a person who can interpret what evaluation results mean for the student;
- other persons who are invited by the school or the parent because they know the child or have special expertise that would be helpful to the team; and
- the student at age 14 or earlier, if appropriate.

\*\*\*IEP team members can serve in more than one role and can be excused by mutual agreement.

### PARENTS NEED TO KNOW

- THE SCHOOL MUST ENSURE THAT THE TEAM INCLUDES ALL REQUIRED MEMBERS IF A REQUIRED TEAM MEMBER IS UNABLE TO ATTEND AND IS NOT EXCUSED BY YOU IN WRITING, YOU MAY WANT TO RESCHEDULE THE MEETING.
- THE IEP TEAM CAN HELP DECIDE IF YOUR CHILD NEEDS POSITIVE BEHAVIOR INTERVENTIONS, SUPPLEMENTARY AIDS AND SERVICES, OR PROGRAM MODIFICATIONS IN THE REGULAR EDUCATION CLASSROOM. THE TEAM CAN ALSO HELP DECIDE IF SCHOOL PERSONNEL NEED SUPPORT TO TEACH YOUR CHILD.
- THE REGULAR EDUCATION TEACHER CAN BE A KEY TEAM MEMBER, AS HE OR SHE IS FAMILIAR WITH GRADE-LEVEL AND AGE-LEVEL EXPECTATIONS FOR ALL CHILDREN
- THE SPECIAL EDUCATION TEACHER CAN HELP GUIDE THE TEAM IN DETERMINING SPECIALIZED INSTRUCTION NEEDED TO HELP THE STUDENT ACCESS AND MAKE PROGRESS WITHIN THE GENERAL EDUCATION CURRICULUM.
- ONE OF THE OTHER TEAM MEMBERS (NOT THE CHILD'S SPECIAL EDUCATION TEACHER) MAY ALSO FILL THE ROLE OF DISTRICT REPRESENTATIVE IF HE OR SHE MEETS THE REQUIREMENTS OF BOTH ROLES.
- INCLUDING THE CHILD AT IEP MEETINGS HELPS THE CHILD LEARN TO ADVOCATE FOR HIM OR HERSELF, AND UNDERSTAND HIS OR HER DISABILITY AND EDUCATIONAL NEEDS. YOUR CHILD WILL EXPERIENCE A TEAM WORKING TOGETHER TO HELP HIM OR HER BE SUCCESSFUL.
- YOU CAN INVITE ANYONE YOU BELIEVE IS KNOWLEDGEABLE OR HAS SPECIAL EXPERTISE ABOUT YOUR CHILD, SUCH AS A RELATIVE, FRIEND, ADVOCATE, CHILD CARE PROVIDER, MEDICAL PROFESSIONAL, OR SOMEONE KNOWLEDGEABLE ABOUT YOUR CHILD'S RACE, CULTURE OR DISABILITY. IT IS A GOOD IDEA TO INFORM THE SCHOOL IF YOU ARE PLANNING TO BRING SOMEONE WITH YOU.

## PARENT PARTICIPATION

The school is responsible for making sure that one or both parents are present at each IEP meeting or are given the opportunity to participate. The school must:

- Notify you of the meeting 10 days prior to give you the opportunity to attend
- Schedule the meeting at a time and place mutually agreeable to you and the school
- Use other methods, such as individual or conference phone calls, to help you participate if you cannot attend an IEP meeting When you are notified of the IEP meeting, you must be informed of:
  - The meeting date, time, and location
  - The list of people invited
  - Your right to invite others
  - The purpose of the meeting

If the purpose of the meeting includes the discussion of transition, the meeting notice must state this.

If you cannot attend or participate in the meeting, the school must document how it tried to involve you, whether through telephone calls, written invitations, or visits to your home or workplace.

The school district must take whatever action is necessary to ensure that you understand what happens at the IEP meeting. This responsibility includes providing an interpreter or translator if you use sign language or if your primary language is not English.

### PARENTS NEED TO KNOW

- IF YOU CANNOT ATTEND THE MEETING, BE SURE TO LET THE SCHOOL KNOW AND WORK WITH THEM TO FIND ANOTHER WAY FOR YOU TO PARTICIPATE.
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# DEVELOPMENT OF THE IEP

When developing your child's IEP, the team must consider these areas:

1. Student's Strengths
2. Educational Concerns of Parents
3. Results from Most Recent Evaluation
4. Academic, Developmental, and Functional Needs
5. Special Factors
6. Behavior Concerns
7. Community Needs
8. Assistive Technology Needs
9. Transition (beginning age 14)
10. Extended School Year (ESY)
11. Placement Services

## **1. Student's strengths**

Your child's strengths and interests must be discussed by the IEP team and used as the basis for planning an educational program. Strengths and interests can form the framework on which to build new skills and behaviors. For example, if your child enjoys helping others, perhaps you can use this strength as encouragement to hand in all assignments and, as a reward, help a younger child with an art project. If your child has learning difficulties but is a good speller, perhaps teachers could build your child's self-esteem by asking him or her to spell words that the rest of the class finds difficult.

## **2. Educational concerns of Parents**

The IEP team must discuss your concerns related to your child's education. For example, you might be concerned that your child is being bullied, has few friends, is failing general education math, or doesn't have enough time to move from one class to the next. The concern also could be long term. Perhaps you fear that your child will become frustrated and drop out of school. The IEP team must address these concerns if they have an impact on education.

## **3. Results of the most recent evaluation**

The IEP team will consider the results of your child's most recent evaluation (initial evaluation or the three-year comprehensive reevaluation) when developing the IEP.

## **4. Academic, developmental, and functional needs**

Additional information for IEP team planning will include recent regular education report cards, results of state and district-wide assessments, progress made on goals in the current IEP, and discussion of the effectiveness of current IEP accommodations and modifications. The team will consider any new developmental or functional (activities of everyday life) needs that may have arisen for the child during the year.

## 5. Special factors

The IEP team must consider additional special factors when a child:

- Has behavior that negatively affects his or her own learning or the learning of others
- Has limited English skills
- Is blind or visually impaired
- Has communication needs
- Is deaf or hard of hearing
- May need assistive technology devices and services

Note: Some districts do not include the above areas on their IEP forms. Although the discussion is required, documentation on the IEP form is necessary only when the team determines that your child needs a particular IEP service. Schools also may document this discussion using the Prior Written Notice Form (see page 23).

### PARENTS NEED TO KNOW

- ASSISTIVE TECHNOLOGY DEVICES AND SERVICES SHOULD BE CONSIDERED FOR ALL CHILDREN WHO HAVE AN IEP. COMMUNICATION NEEDS ALSO APPLY TO MANY CHILDREN WITH A VARIETY OF DISABILITIES. LACK OF COMMUNICATION SKILLS SOMETIMES LEADS TO BEHAVIOR CONCERNS.
  - IF THE TEAM DETERMINES THAT YOUR CHILD NEEDS A PARTICULAR ASSISTIVE TECHNOLOGY DEVICE OR SERVICE BECAUSE OF ONE OR MORE SPECIAL CONSIDERATIONS, THIS DETERMINATION MUST BE WRITTEN IN THE IEP.
  - RESULTS OF THE DISCUSSION OF THE ABOVE TOPICS MAY BE NOTED IN THE APPROPRIATE SECTION OF THE IEP FORM. THESE SECTIONS INCLUDE PRESENT LEVEL OF ACADEMIC ACHIEVEMENT AND FUNCTIONAL PERFORMANCE, AN ANNUAL INSTRUCTIONAL GOAL, SERVICES AND MODIFICATIONS, TEAM MEETING NOTES, OR ANOTHER APPROPRIATE SECTION OF YOUR SCHOOL'S IEP FORM.
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# CONTENT OF THE IEP

## 1. General Information

## 2. Progress Reporting (monitoring)

This section of the IEP lists the scheduled times and methods that school staff will use to report progress on each IEP goal to parents. Your child's progress on his or her annual goals must be measured, and you must be informed of:

- How often and by what method progress reports will be provided to you. The school must give you these reports at least as often as they report progress to parents whose children do not have disabilities. Reporting methods may include IEP progress reports issued with regular education report cards, midterm written reports, or other means.
- The extent to which that progress is sufficient to enable your child to achieve each goal by the end of the IEP year.

## PARENTS NEED TO KNOW

- MAKING ADEQUATE PROGRESS IS THE KEY TO AN APPROPRIATE EDUCATION.
  - IEP PROGRESS REPORTS ARE NOT THE SAME AS CLASSROOM GRADE REPORTS. THE IEP REPORT NOTES PROGRESS ON THE IEP GOALS WHILE GRADE REPORTS INDICATE PROGRESS IN THE GENERAL EDUCATION CURRICULUM.
  - IF YOUR CHILD IS PROGRESSING AS PLANNED, THE GOALS WILL BE CONTINUED UNTIL THE ANNUAL IEP REVIEW.
  - IF YOUR CHILD IS NOT MAKING SUFFICIENT PROGRESS TOWARD MEETING IEP GOALS, A TEAM MEETING MUST BE HELD TO REVISE THE IEP. PARENTS MAY REQUEST THIS MEETING.
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### **3. Present Levels of Academic Achievement and Functional Performance (PLAAFP)**

The Present Levels of Academic Achievement and Functional Performance (PLAAFP) statement describes the levels at which your child is working academically and functionally. The statement summarizes your child's current status and educational needs in each performance area where there is a need.

Performance areas may include:

- Academic performance
- Communication status
- Functional skills (routine activities of everyday living)
- General intelligence
- Health
- Motor abilities
- Sensory status (such as vision and hearing)
- Social and emotional status
- Transition to adult living, including employment, postsecondary education and training, and independent living (when appropriate)

The IEP team will consider how your child's disability affects his or her grade-level learning at school. Understanding the impact of your child's disability helps the team determine what services and accommodations your child needs in order to be educated in the general education curriculum to the maximum extent appropriate. (The general education curriculum means the courses the school uses to teach children within the school district.) Children learn information and skills necessary to meet state academic standards and graduation requirements by participating in the general education curriculum, regardless of classroom placement.

The purpose of the PLAAFP statement is to describe what your child can do at the time the IEP is developed. The information should be presented clearly with enough information to describe your child's present skill levels. The statement should identify specific skills or behaviors requiring instruction.

## PARENTS NEED TO KNOW

- THE PRESENT LEVELS SECTION OF THE IEP PROVIDES A SNAPSHOT OF YOUR CHILD'S CURRENT LEVEL OF PERFORMANCE.
- YOU HAVE IMPORTANT INFORMATION TO SHARE ABOUT YOUR CHILD.
- THIS SECTION MAY INCLUDE MEDICAL INFORMATION RELATED TO YOUR CHILD'S DISABILITY.
- YOU AND SCHOOL PROFESSIONALS MAY SEE YOUR CHILD IN DIFFERENT WAYS.
- IT IS IMPORTANT THAT YOU AND THE IEP TEAM AGREE ON YOUR CHILD'S NEEDS AS INSTRUCTION WILL BE BASED ON THOSE IDENTIFIED NEEDS.
- ALL OF YOUR CHILD'S EDUCATIONAL NEEDS DESCRIBED IN THE PRESENT LEVEL SECTION MUST BE MET WITH SERVICES IN THE IEP.
- IEP SERVICES ARE DETERMINED BY THE CHILD'S NEEDS, NOT BY THE CATEGORY OF EXCEPTIONALITY.
- IF AN INITIAL OR THREE-YEAR REEVALUATION HAS BEEN COMPLETED, SCHOOL STAFF MUST GIVE YOU A COPY OF THE EVALUATION SUMMARY REPORT. IT CONTAINS DETAILED INFORMATION THAT WILL BE USED TO DEVELOP THE PRESENT LEVEL STATEMENT.
- THE PRESENT LEVELS SECTION WILL INCLUDE SUMMARY STATEMENTS OF YOUR CHILD'S PERFORMANCE IN ASSESSED AREAS AND WILL BE UPDATED EACH YEAR.
- ATTACHMENTS TO THE IEP FORM MAY BE USED IF THE EXISTING FORM DOES NOT HAVE SUFFICIENT SPACE TO INCLUDE ALL THE INFORMATION REQUIRED IN THE IEP.

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#### **4. Statement of Measurable Annual Goals**

The IEP will have annual instructional goals that describe what your child is expected to accomplish within a year of writing the IEP, when provided with special education instruction and related services. Each goal will have short-term objectives or benchmarks.

The goals are based on the Present Level of Academic Achievement and Functional Performance (PLAAFP) statement. The IEP team will determine:

- What skill needs to be learned or what behavior needs to change so that your child can be involved in and make progress in the general education curriculum, or make progress on other appropriate goals and objectives.
- Whether your child should increase, decrease, or maintain specific skills and behaviors.
- What level of performance should be achieved and how that will be measured. For example, the PLAAFP statement may say that your son writes disorganized paragraphs with incorrect spelling and punctuation 50 percent of the time. The goal may be to increase his level of producing organized paragraphs with correct spelling and punctuation to 90 percent of the time within one year with appropriate special education instruction. The IEP will record how progress on this goal will be measured.

Goals may cover any of several areas: academic, behavioral, functional, social, or other educational skills that are important for your child to master. Goals must be measurable so that the IEP team will know if your child is making progress on each one. The IEP must address all the educational needs that result from your child's disability or disabilities, regardless of the disability label.

## PARENTS NEED TO KNOW

- EACH GOAL MUST BE MEASURABLE. YOUR CHILD'S CURRENT LEVEL OF PERFORMANCE MUST BE DESCRIBED EITHER IN THE GOAL OR IN THE PLAAFP STATEMENT. YOUR CHILD'S EXPECTED ENDING LEVEL OF PERFORMANCE MUST BE WRITTEN IN THE GOAL STATEMENT.
- TERM SUCH AS "AGE APPROPRIATE" AND "GRADE LEVEL" ARE NOT MEASUREABLE UNLESS THE IEP CLEARLY DESCRIBES WHAT IS MEANT BY THESE TERMS.
- AS EACH YEAR'S IEP GOAL IS DEVELOPED, YOU SHOULD CONSIDER WHAT SPECIAL EDUCATION SERVICES WILL BE NECESSARY FOR YOUR CHILD TO ACHIEVE THAT GOAL.

### 5. Transition Planning

Beginning at age 14, each IEP of a student with an exceptionality will also include:

1. Transition Assessment
2. Measurable Postsecondary Goals
3. Courses of Study
4. Transition Services

## PARENTS NEED TO KNOW

- THE STUDENT MUST BE INVITED TO THE TRANSITION IEP MEETING.
- THE IEP TEAM LOOKS AT THE COURSES OF STUDY, AS TO HOW THE CHILD IS DOING IN ACHIEVING THE REQUIRED NUMBER OF CREDITS FOR GRADUATION.
- IT'S IMPORTANT TO CONSIDER ALL AREAS OF TRANSITION BECAUSE MANY CHILDREN WITH DISABILITIES LEAVE HIGH SCHOOL LACKING THE ACADEMIC, TECHNICAL, AND SOCIAL SKILLS NECESSARY TO CONTINUE IN POST-SECONDARY TRAINING, OR FIND AND MAINTAIN EMPLOYMENT.
- TRANSITION SERVICES MAY BE PROVIDED FOR SOME CHILDREN YOUNGER THAN AGE 14 IF THEY ARE AT RISK OF DROPPING OUT OF SCHOOL BEFORE AGE 16, OR IF THE SERVICES WOULD ENHANCE EMPLOYMENT OR OTHER EDUCATIONAL OUTCOMES.
- IEP TEAM DECISIONS SHOULD INCLUDE INPUT FROM THE STUDENT, PARENTS, AND OTHERS FROM THE STUDENT'S SCHOOL AND COMMUNITY LIFE.
- THE TEAM MUST MAKE SURE THAT THE CHILD'S OWN DESIRES AND INTERESTS ARE CONSIDERED.
- THROUGH AN IEP TEAM DECISION, STUDENTS WITH DISABILITIES MAY REMAIN IN SCHOOL UNTIL JULY 1 AFTER THEY BECOME 21 IF THEY HAVE NOT COMPLETED THEIR IEP GOALS, EVEN IF THEY HAVE MET THE DISTRICT'S CREDIT REQUIREMENT FOR A DIPLOMA.
- IF YOUR STUDENT GRADUATES AND ACCEPTS A DIPLOMA, HE OR SHE NO LONGER QUALIFIES FOR THE SERVICES MENTIONED ABOVE.

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### 6. Services and Modifications

The IEP outlines the special education, related services, and other supports your child will receive. Specific services and supports are given so that your child can, as much as is appropriate:

- Advance toward accomplishing annual goals
- Learn and participate with other children with and without disabilities
- Participate and make progress in the general education curriculum
- Participate in extracurricular or nonacademic activities

Each service should be based on research to the extent practical and give clear direction to staff on how to serve your child. The frequency, duration and location of services will be defined within the IEP.

Services and modifications include special education and related services, supplementary aids and services, and program modifications and supports for school personnel as detailed in the following sections.

There is a relationship between the goals in your child's IEP and the special education and related services the school provides. For example, if your child with a learning disability has a goal to improve reading by one grade level, then services provided by the special education staff to help your child accomplish that goal during the current IEP year will be listed in this section of the IEP.

**Direct services** are provided by a licensed special education teacher or a related services professional who instructs your child. This section of the IEP will include:

- Amount of time to provide that instruction or service (in minutes per session)
- Frequency of services (the number of times per week)
- Starting date and expected duration for services
- Location where the service will be provided (such as in a regular or special education classroom, home, or other setting)

**Indirect services** are provided by a special education teacher or related services professional working with other professionals. These services could include consultation, modifications of curriculum for the child, observation of the child, or cooperative planning. The services are provided on behalf of your child and not directly to your child. The indirect services section includes the same four bullet points as direct services. (See above)

**Accommodations** are changes that help a student overcome or work around the disability. These changes are typically physical or environmental changes. Allowing a student who has trouble writing to give his answers orally is an example of an accommodation. This sort of accommodation extends across assignments and content areas.

**Modifications** are generally connected to instruction and assessment; things that can be tangibly changed or modified. Usually a modification means a change in what is being taught or is expected from the student. Making the assignment easier so the student is not doing the same level of work as other students is an example of a modification. This change is specific to a particular type of assignment.

**Assistive technology** includes devices as well as specific services, such as maintaining or repairing equipment. The IEP team will use evaluation data to determine which devices and services are appropriate.

IDEA requires schools to provide assistive technology if the IEP team determines a child needs it in order to receive an appropriate education. The team must plan for acquiring, operating, maintaining, and repairing assistive technology, as well as for training the child, staff, and family in its use and care.

Assistive technology can include a range of low-tech and high-tech equipment, such as pen grips, lap boards, feeding utensils, communication devices, computers, apps, calculators, classroom amplification, or recorded textbooks.

If a **paraprofessional** is listed in this section, both your child's need for this service and the responsibilities of the paraprofessional will be listed.

## PARENTS NEED TO KNOW

ASK YOURSELF, "WITH THIS SERVICE COMMITMENT, IS IT REASONABLE TO EXPECT THAT MY CHILD CAN ACHIEVE HIS OR HER IEP GOALS AND ALSO MAKE MEANINGFUL PROGRESS IN THE GENERAL EDUCATION CURRICULUM?" IF THE ANSWER IS NO, DISCUSS YOUR CONCERNS WITH THE IEP TEAM.

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### 7. Least Restrictive Environment Explanation

The least restrictive environment (LRE) for a child with disabilities is an educational setting that provides an appropriate program, including any necessary special supports, in as typical a school environment as possible. As much as is appropriate for the individual child, children with disabilities should attend the school they would typically go to if they did not have disabilities. They should have the opportunity to participate in extracurricular and nonacademic activities with children who do not have disabilities.

These decisions are made by the IEP team based on the child's needs. The IEP must explain why and how much time your child will be educated or participate in activities outside of the regular education setting. The explanation will include why the nature and severity of your child's disability is such that he or she must be removed from general education to receive services.

You must be invited to participate in all educational placement decisions for your child. If you are not able to attend a meeting when a placement decision is made, the school must use other methods, such as individual or conference telephone calls or video conferencing, to help you participate. The school must keep a record of how staff tried to help you be involved in making the decision.

In addition, you must be informed about the placement alternatives that are available for your child. The IEP team will discuss these alternatives and together you will decide what is most appropriate to meet your child's needs in the least restrictive environment. IDEA requires school districts to have a continuum of services and placements available to meet the individual needs of children.

## PARENTS NEED TO KNOW

“TO THE MAXIMUM EXTENT APPROPRIATE, CHILDREN WITH DISABILITIES, INCLUDING CHILDREN IN PUBLIC OR PRIVATE INSTITUTIONS OR OTHER CARE FACILITIES, ARE EDUCATED WITH CHILDREN WHO ARE NOT DISABLED, AND....SPECIAL CLASSES, SEPARATE SCHOOLING, OR OTHER REMOVAL OF CHILDREN WITH DISABILITIES FROM THE REGULAR EDUCATION ENVIRONMENT OCCURS ONLY IF THE NATURE OF THE SEVERITY OF THE DISABILITY IS SUCH THAT EDUCATION IN REGULAR CLASSES WITH THE USE OF SUPPLEMENTARY AIDS AND SERVICES CANNOT BE ACHIEVED SATISFACTORILY.”

34 CFR 300.114(A)(2)

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### 8. Accountability and Graduation Assessments

#### District-Wide Accountability Assessments

All students should participate in Kansas state assessments and district-wide assessments at the appropriate age when an assessment is given. Any accommodations that the student may need when participating in the state or district-wide assessment will be included on the IEP. The IEP team may decide that a particular state or district-wide assessment is not appropriate for a student and that the student will take an alternate assessment.

Kansas has two assessment options for each student:

1. The general assessment with or without accommodations
2. The Kansas Alternate Assessment (Dynamic Learning Maps-DLM)

The IEP team must determine if the student meets the eligibility criteria for the alternate assessment. If the student is to take an alternate assessment, the IEP must include:

1. Why the regular assessment is not appropriate for the student
2. Which assessment is appropriate for the student

#### Accommodations for Assessments

Examples of accommodations might be that the student is allowed extra time to take the test, or have someone to write the answers that the student gives. If a student is to have an accommodation for the state or district-wide assessment, it should be included in the IEP and should be something that is needed by the student for other daily learning needs.

## PARENTS NEED TO KNOW

- TALK WITH YOUR CHILD'S IEP TEAM ABOUT WHICH STATE ASSESSMENTS ARE REQUIRED DURING THIS IEP YEAR FOR YOUR CHILD
  - IF SCHOOL STAFF RECOMMEND AN ALTERNATE ASSESSMENT AT THE IEP TEAM MEETING, DISCUSS THE REQUIREMENTS FOR TAKING THAT ASSESSMENT WITH THE IEP TEAM.
  - ASK FOR INFORMATION ABOUT CURRENT GRADUATION ASSESSMENTS AND REQUIREMENTS IF YOUR CHILD IS IN THE NINTH GRADE OR ABOVE.
  - ACCOMMODATIONS ON STATEWIDE TESTS ARE MADE BY THE STUDENT'S IEP TEAM.
  - ACCOMMODATIONS THAT THE STUDENT IS RECEIVING ON THE IEP SHOULD BE CONSIDERED FOR ACCOMMODATIONS ON THE STATEWIDE TESTS.
  - STATEWIDE TESTS ARE NOT TIMED FOR ANY STUDENT
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### 9. Transfer of Rights at Age of Majority

Under IDEA, educational rights transfer to students when they reach the age of majority (age 18 in Kansas). At least one year before your child turns 18, the student and the parent must be informed of the rights, if any, that will transfer to the student at the age of majority. The transfer of rights does not take place if a legal guardian has been appointed.

When rights are transferred from you to your child, you will continue to receive all legally required information such as IEP meeting notices. Your child will assume all other rights, including the right to sign agreement or disagreement with his or her IEP.

## PARENTS NEED TO KNOW

- RECEIVING MEETING NOTICE AND BEING INVITED TO THE MEETING ARE NOT THE SAME. A STUDENT REACHING THE AGE OF MAJORITY MAY WANT TO MAINTAIN PARENT INVOLVEMENT IN THE IEP PROCESS. THE STUDENT HAS THE RIGHT TO INVITE THE PARENT TO MEETINGS.
  - A STUDENT MAY SUBMIT WRITTEN REQUEST TO THE SCHOOL ASKING THAT THE PARENT(S) CONTINUE TO BE INVITED TO MEETINGS.
-

## 10. Extended School Year (ESY)

Some children need services that extend beyond the normal school year. Such services are referred to as extended school year services (ESY). The IEP team must discuss the need for ESY services at the annual IEP. If the student is determined eligible for ESY services, the parents have the right to decline these services. If services are needed to provide FAPE to the student, the need for ESY, must be indicated on the IEP and ESY services outlined.

The school may not limit ESY services to particular disabilities. An ESY program must be tied to your child's need for services, including:

### Regression

This occurs when a student experiences a loss of skills that are considered necessary for them to participate in school and/or the community. Significant regression is considered to have occurred when critical skills have been lost over a scheduled break in instruction and not recouped within a reasonable amount of time.

### Nature or Severity of Disability

Consideration will be given to those students whose nature and severity of disability requires highly-structured or consistent programming without substantial breaks in service in order to make progress in the identified goal area(s) of concern.

### Self-Sufficiency and Independence

Consideration for ESY services should be given to students who need instruction in self-help skills (i.e. dressing, eating, etc.) or continued structure to develop behavioral control. The ESY services are usually different from the services provided during the school year. ESY services that are written into your child's IEP must be provided at no cost to you.

## PARENTS NEED TO KNOW

- THE DETERMINATION OF WHETHER OR NOT YOUR CHILD NEEDS EXTENDED SCHOOL YEAR SERVICES MUST BE DOCUMENTED.
  - **ESY IS NOT THE SAME AS SUMMER SCHOOL. SCHOOL DISTRICTS HAVE THE CHOICE OF WHETHER TO OFFER SUMMER SCHOOL TO STUDENTS WHILE ESY MUST BE OFFERED TO ELIGIBLE SPECIAL EDUCATION STUDENTS.**
-

## PARENT ACTION: PRIOR WRITTEN NOTICE AND PARENTAL CONSENT/OBJECTION

After the IEP is developed, the team considers where the most appropriate setting might be for the student to receive services and make progress on the goals in the IEP. Services for the student are to be in general education classes with students without disabilities unless the IEP team believes a different setting is necessary in order for the student to be successful. If the team thinks the student should be taught in a different setting, they must write their reasons in the IEP.

School districts are required to implement the IEP as soon as possible following the meeting and services agreed upon. Read it and ask yourself, “Is this IEP an appropriate step toward a productive and independent life for my child?” Your answer to this question will guide your decision to agree or disagree with the IEP.

You will receive the **Prior Written Notice**, along with the IEP proposal which describes what services the school proposes to provide. It is given to you “prior,” or before, the proposed services are to begin. If the notice only includes a refusal of something you asked to be in the IEP, it must be sent or given to you within 10 school days of your request. The IEP team must document its decisions on the Prior Written Notice, including:

- A description of the action the school proposes or refuses
- An explanation of why the proposal or refusal was made
- A description of the evaluations, assessments, records, or reports used to make the decision
- A description of other options considered
- A description of other factors affecting the proposal or refusal
- Resources for parents to contact for help in understanding IDEA

The Prior Written Notice will give you more information about what is or is not in the IEP. There is no required form, but the notice must be in writing and cover all the required components.

On the Prior Written Notice, there is a **Parental Consent/Objection** section. If you agree with the IEP, check “yes” and sign the form. If you disagree with the entire proposed IEP, check “no” and sign the form to begin the process of resolving your disagreement. If you agree with some, but not all, of the proposed IEP, write that you agree with some of the proposals and also note the proposals with which you disagree (some forms include a specific place for this; others may not).

The school should begin the services you agree with and set up the process of resolving your disagreement. Parents and students 18 or older who have had rights transferred to them are the only people who can legally consent or object to an IEP. After you consent or object, return the form to the person whose name appears on the form.

For initial IEPs, services cannot begin until you agree to the proposed program in writing. For annual IEPs, you must have the opportunity to agree or disagree with the proposed IEP.

Please note that the Prior Written Notice may be used for evaluation and other requests as well as for an IEP proposal.

## PARENTS NEED TO KNOW

- BASED ON THE TEAM'S DECISIONS MADE DURING THE IEP MEETING, THE SCHOOL STAFF SHOULD COMPLETE THE IEP FORM AND PROVIDE IT TO YOU SOON AFTER THE CONFERENCE.
  - IT IS IMPORTANT TO READ AND UNDERSTAND THE PROPOSED IEP BEFORE DECIDING TO AGREE OR DISAGREE WITH IT.
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## IEP REVIEW AND REVISIONS

Although all teachers and service providers must know and provide specific services for your child, there is no guarantee that your child will make progress at a planned rate. If you think your child is not making appropriate progress, you may request a meeting to ask for revisions to your child's IEP.

A new IEP must be written at least annually. In addition, a revised IEP must be written whenever significant changes in a student's program or placement are needed. Reasons may include:

- Accomplishment of one or more IEP goals
- Insufficient progress on one or more goals
- Insufficient progress in the general education curriculum
- Availability of new evaluation information
- Availability of new information from parents to share with the IEP team
- Need for a change in the site or setting where the child receives special education instruction
- Change in the amount of special education needed to accomplish goals or objectives
- Team determination of a need for certain intervention procedures
- Any time an IEP is revised, parents should request a new copy from the case manager.

## REEVALUATION

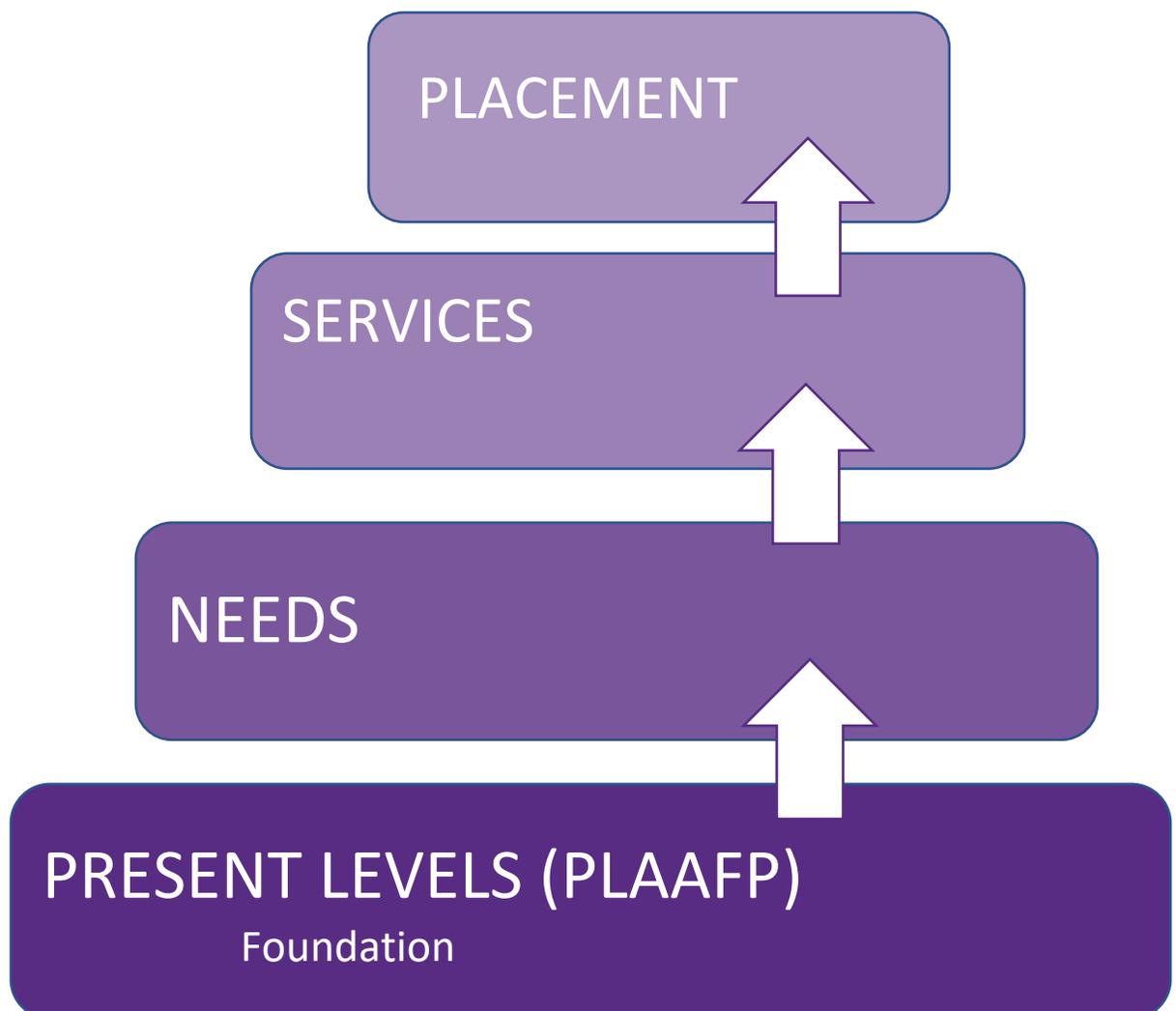
A reevaluation of the student's needs is to be conducted at least every three years unless the parent and the school agree that a reevaluation is unnecessary. A reevaluation may be conducted more frequently, if the student's parent or teacher requests a reevaluation. However, no more than one reevaluation may occur in one year, unless the parent and the school agree to more than one during a year. Parents must be provided Prior Written Notice and asked to give their written consent before any reevaluation.

During a reevaluation, the IEP team must review the existing evaluation information about the student, including information provided by the parents. The team determines if more information is needed to decide if the student continues to have an exceptionality and to determine the student's present levels of academic achievement and functional performance. Additionally, the IEP team is to consider whether any additions or modifications to the special education and related services are needed to be sure the student can meet the measurable annual goals set out in the IEP and allow for participation, as appropriate, in the general education curriculum. ([See Kansas Special Education Process Handbook, Chapter 3, Initial Evaluation, Reevaluation, and Eligibility.](#))

## SUMMARY

Because the special education process may seem complicated, it can be helpful to compare it to the building of a house. Just as the building of a house follows a logical order, beginning with a foundation or basement and ending with the roof, so does the building of a special education program.

Your child's special education program is built from the *foundation* of a thorough examination of your child's **present levels of academic achievement and functional performance (PLAAFP)**. The PLAAFP statement describes your child's educational needs gathered from sources, including special education evaluations, school assessments, progress on current IEP goals, and regular education grades. The PLAAFP will identify your child's **identified educational needs**, like the *first floor* of a house. This floor supports the *second floor*, **appropriate services**, to meet your child's needs. Once appropriate services have been determined, the IEP team can select the **placement** (special education and related services provided in the least restrictive environment) to meet your child's needs. It's the final piece of the building process, the *roof* that caps of the "house" of your child's special education program. Your child can receive the free appropriate public education (FAPE) to which he or she has a right when the IEP team follows this logical progression.



# APPENDIX

## Definitions

**Achievement standards:** Grade-level learning expectations for all students. The Kansas K-12 Academic Standards are statements adopted by the state that identify what all students in a particular grade are expected to know and be able to do by the end of the grade. Kansas standards are set for areas such as English Language arts (includes reading), Math, Science, Social Studies, the arts, and Physical Education. These are sometimes called “grade-level content standards”.

**Accommodation:** An accommodation is a change that helps a student overcome or work around the disability. These changes are typically physical or environmental changes. Examples include extended time for project completion, various types of assistive technology, and preferential seating.

**Alternate academic achievement standards:** Level of proficiency (or ability) on grade-level academic content standards that is less complex or modified in other ways to show developing skills and knowledge in the areas of reading and math. The alternative assessment, Kansas Dynamic Learning (DLM), is available for students with cognitive functioning significantly below age expectations.

**Appropriate:** Suitable or fitting. The Individuals with Disabilities Education Act (IDEA) specifies the procedures for determining what is the appropriate education for an individual child with disabilities. Evaluations are done to identify the student’s needs. From those needs, the IEP team will determine the appropriate educational services so the student can make meaningful educational progress.

**Assistive technology device:** Any item, piece of equipment, or product system that is used to increase, maintain, or improve the functional capabilities of a child with a disability. Devices include those purchased commercially or those that are modified or customized but exclude surgically implanted devices.

**Assistive technology service:** Any service that directly assists a child with a disability in the selection, acquisition, or use of an assistive technology device. This includes evaluation of the child for assistive technology needs; acquiring the device; coordination of the device with other related services, such as therapy; training for the child and, if appropriate, the family, in use of the device; and training for educational and rehabilitation professionals and others, including employers, in use of the device.

**Consent:** Saying yes or giving permission. Consent means that you understand and agree in writing to the activity, such as an evaluation plan or an IEP. Schools must give you all necessary information connected to an activity for which consent is needed in your native language or communication mode. Giving consent is voluntary, and you may change your mind, or revoke consent, at any time. However, if you do revoke your consent, the activity that took place between the time you gave your consent and revoked your consent remains legal.

**FAPE:** Free appropriate public education, as defined in IDEA regulations.

**General education curriculum:** The curriculum that the school uses to teach children in the school district, including children who have disabilities and those who do not. The curriculum includes lessons, materials, and activities routinely used by the general population of students in the school and is aligned with state grade-level academic standards.

**Individuals with Disabilities Education Act (IDEA):** The federal law that guarantees the rights of children with disabilities to an appropriate public education program.

**Individualized Education Program (IEP):** The written plan that guides your child's special education services. The plan must:

- allow your child to advance appropriately toward meeting annual IEP goals
- allow your child to be involved in and progress in the general curriculum as much as is appropriate for your child
- guide the staff in providing services
- record the services the school district has committed to provide

**Least Restrictive Environment (LRE):** An educational setting for a child with disabilities that provides an appropriate program, including any necessary special supports, in as typical a school environment as possible and to be educated with non-disabled peers to the maximum extent appropriate

**Modification:** Modifications are generally connected to instruction and assessment; things that can be tangibly changed or modified. Usually a modification means a change in what is being taught to or expected from the student. An example of a modification is a reduction of homework or class work.

**Parent:** A child's parent or a person acting in that role. The parent may be the biological or adoptive parent; a legal guardian; a person acting in the place of the parent, such as a grandparent; a surrogate parent; or the student age 18 and older. A legal guardian is a person appointed through court procedures. Parents who do not have legal custody but whose parental rights have not been terminated retain their rights to receive information from the school, participate in program planning, and attend school conferences unless the court determines otherwise.

**Related services:** Any specially designed services that enable a student to benefit from special education instruction. Examples include psychological services, assistive technology, interpretive services, occupational therapy, physical therapy, audiology, and mobility training.

**Special education:** Instruction specially designed to meet the unique needs of a student with disabilities.

**Supplementary aids and services:** Any aids, services, or other supports that are provided in regular education classes or other education-related settings, including extracurricular and nonacademic settings, to enable children with disabilities to be educated with nondisabled children to the maximum extent appropriate. Examples include paraprofessional services, large print textbooks, a sign language interpreter, and extra time to complete a project.

## COMMON ACRONYMS USED IN USD 230

**AAC** | Alternative Augmentative Communication

**ABA** | Applied Behavioral Analysis

**ADA** | Americans with Disabilities Act

**ADD/ADHD** | Attention Deficit/Attention-Deficit Hyperactivity Disorder

**APE** | Adaptive Physical Education

**ASD** | Autism Spectrum Disorders

**ASL** | American Sign Language

**AT** | Assistive Technology

**BCBA** | Board Certified Behavior Analyst

**BIP** | Behavioral Intervention Plan

**BOE** | Board of Education

**CBA** | Curriculum Based Assessment

**DB** | Deaf-Blind

**DD** | Developmental Delay

**DS** | Down Syndrome

**ED** | Emotionally Disturbed

**ELL** | English Language Learner

**ESL** | English as a Second Language

**ESOL** | English as a Second or Other Language

**ESY** | Extended School Year

**FAPE** | Free and Appropriate Public Education

**FERPA** | Family Educational Rights and Privacy Act

**FBA** | Functional Behavioral Assessment

**GE** | General Education

**GEI** | General Education Intervention

**GT** | Gifted and Talented

**HI** | Hearing Impaired

**ID** | Intellectual Disabilities

**IDEA** | Individuals with Disabilities Education Act

**IEE** | Independent Educational Evaluation

**IEP** | Individualized Education Program

**IFSP** | Individualized Family Service Plan

**LD** | Learning Disability

**DOE** | Department of Education

**LEA** | Local Education Agency

**LEP** | Limited English Proficiency

**LRE** | Least Restrictive Environment

**ECSE** | Early Childhood Special Education

**MD** | Muscular Dystrophy

**NCLB** | No Child Left Behind Act

**OCD** | Obsessive-Compulsive Disorder

**LRE** | Least Restrictive Environment

**OHI** | Other Health Impairment

**OI** | Orthopedic Impairment

**O & M** | Orientation and Mobility Services

**OT** | Occupational Therapy

**Part B** | Special Education – School – Aged Children

**PBIS** | Positive Behavior Interventions and Supports

**PBS** | Positive Behavioral Supports

**PD** | Physical Disability

**PDD** | Pervasive Developmental Disorder

**PWN** | Prior Written Notice

**PE** | Physical Education

**PLAAFP** | Present Level of Academic Achievement and Functional Performance

**PT** | Physical Therapist

**PWN** | Prior Written Notice

**RS** | Related Services

**SAS** | Supplementary Aids and Services

**SE** | Special Education

**SLD** | Specific Learning Disability

**SLP** | Speech/Language Pathologist

**SPED** | Special Education

**SSAC** | Special Services Advisory Committee

**SY** | School Year

**TBI** | Traumatic Brain Injury

**VI** | Visual Impairment

**504** | Section 504 of the Rehabilitation Act

## EXCEPTIONALITY CATEGORIES

**Autism** KAR 91-40-1 (f) "Autism" means 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. The 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) KAR 91-40-1 (q) "Developmental delay" means such a deviation from average development in one or more of the following developmental areas that special education and related services are required: (A) Physical; (B) cognitive; (C) adaptive behavior; (D) communication; or, (E) social or emotional development The deviation from average development shall be documented and measured by appropriate diagnostic instruments and procedures.

**Emotional Disturbance** KAR 91-40-1 (v) "Emotional disturbance" means 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: (1) An inability to learn that cannot be explained by intellectual, sensory, or health factors; (2) an inability to build or maintain satisfactory interpersonal relationships with peers and teachers; (3) inappropriate types of behavior or feelings under normal circumstances; (4) a general pervasive mood of unhappiness or depression; or (5) a tendency to develop physical symptoms or fears associated with personal or school problems. The term includes schizophrenia, but shall not apply to children who are socially maladjusted, unless it is determined that they have an emotional disturbance.

**Gifted** KAR 91-40-1 (bb) "Gifted" means 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

**Intellectual Disability** KAR 91-40-1 (oo) "Intellectual Disability" means significantly sub-average general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, which adversely affects a child's educational performance.

**Learning Disability** KAR 91-40-1 (mmm) "Specific learning disability" means a disorder in one of 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 of the following: (1) Visual, hearing, or motor, disabilities; (2) Intellectual Disability; (3) emotional disturbance; or (4) environmental, cultural, or economic disadvantage. KAR 91-40-11 (b)(1) A group evaluating a child for a specific learning disability may determine that the child has such a disability only if the following conditions are met: (A) The child does not achieve adequately for the child's age or meet state-approved grade-level standards, if any, in one or more of the following areas, when the child is provided with learning experiences and instruction appropriate for the child's age and grade level: (i) Oral expression; (ii) listening comprehension; (iii) written expression; (iv) basic reading skills; (v) reading fluency skills; (vi) reading comprehension;

(vii) mathematics calculation; and (viii) mathematics problem solving; and (B)(i) The child does not make sufficient progress to meet age or state-approved grade level standards in one of more of the areas identified in paragraph (b)(1)(A) when using a process based on the child's response to scientific, research-based intervention; or (ii) the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, grade level standards, or intellectual development that is determined by the group conducting the evaluation to be relevant to the identification of a specific learning disability, using appropriate assessments.

**Multiple Disabilities** KAR 91-40-1 (pp) "Multiple disabilities" means coexisting 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 shall not include deaf-blindness.

**Other Health Impairment** KAR 91-40-1 (uu) "Other health impairment" means having limited strength, vitality, or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment and that meets the following criteria: 1) is due to chronic or acute health problems, including asthma, attention deficit disorder or attention deficit hyperactivity disorder, diabetes, epilepsy, a heart condition, hemophilia, lead poisoning, leukemia, nephritis, rheumatic fever, sickle cell anemia, and Tourette syndrome; and 2) adversely affects a child's educational performance.

### **Sensory Impairments** KAR 91-40-1

(dd) "**Hearing impairment**" means an impairment in hearing, whether permanent or fluctuating, that adversely affects a child's educational performance but that does not constitute deafness as defined in this regulation.

(p) "**Deafness**" means a hearing impairment that is so severe that it impairs a child's ability to process linguistic information through hearing, with or without amplification, and adversely affects the child's educational performance.

(uuu) "**Visual impairment**" means an impairment in vision that, even with corrections, adversely affects a child's educational performance. The term includes both partial sight and blindness.

(g) "**Blindness**" means a visual impairment that requires dependence on tactile and auditory media for learning (o) "Deaf-blindness" means the combination of hearing and visual impairments that causes such severe communication and other developmental and educational needs that they cannot be accommodated in special education programs solely for the hearing impaired or the visually impaired.

**Speech or Language Impairment** KAR 91-40-1 (lll) "Speech or language impairment" means 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** KAR 91-40-1 (sss) "Traumatic brain injury" means an acquired injury to the brain, caused by an external physical force, resulting in total or partial functional disability or psychosocial impairment, or both, that adversely affects educational performance. The term shall apply to open or closed head injuries resulting in impairments in one or more areas, including the following: (1) cognition; (2) language; (3) memory; (4) attention; (5) reasoning; (6) abstract thinking; (7) judgment; (8) problem-solving; (9) sensory, perceptual

and motor abilities; (10) psychosocial behavior; (11) physical functions; (12) information processing; and (13) speech. The term shall not include brain injuries that are congenital or degenerative or that are induced by birth trauma.

The information cited above can be found at the link below.

<https://www.ksde.org/Portals/0/SES/misc/iep/EligibilityIndicators.pdf>

## FREQUENTLY ASKED QUESTIONS

### What does “signing the IEP mean? Is Parent Consent required for any action by the school?

At the beginning of an IEP meeting, all members of the team are asked to sign the Meeting Attendee Page of the IEP. This **only** validates those in attendance at the meeting and **does not** indicate parental consent for the services proposed in the IEP. Once the IEP team agrees on the contents of the IEP, the parent or guardian must sign a Prior Written Notice giving their consent for the initial provision of special education services, or for any change of 25% or more of the current level of services or placement.

Parent consent is required for some, but not all special education actions. Please see the [Kansas Special Education Process Handbook, page 10](#), for more information.

### Can the IEP be amended or revoked?

The IEP can be **amended** in several ways:

- If the school or the parent feel that the IEP should be amended, either party can request a meeting to discuss the proposed action.
- Some changes can be made without a meeting, but some actions require parental consent, even if a meeting is not required.
- Keep in mind that some changes can be made to the IEP without parent consent, but parents must be notified in advance of any changes, and the change cannot be 25% or more of a service or placement without consent.

Parents may **revoke** their consent for the entire IEP, or for particular services contained in the IEP, under certain conditions.

- If a parent wishes to revoke consent for the entire IEP, they may do so; however, the student is then considered a general education student and loses any protection as a student with a disability under state and federal laws. When a parent revokes consent for services and subsequently requests services to resume, the school must conduct an initial evaluation for special education before re-enrolling the child in special education.
- At times, parents may wish to revoke consent for a particular service. The school may refuse if they believe the service is necessary for the student to receive a Free Appropriate Public Education (FAPE). If the parents still wish to revoke consent, they can pursue dispute resolution options.
- Please see the Kansas Special Education Process Handbook, Chapter 8, for more information.

## **How will I know what services my child is receiving?**

The Service Plan section of the IEP lists each service.

## **How are service times determined?**

Once the IEP team has agreed upon the IEP goals, they need to agree upon the amount of service time that they feel will be needed for the student to meet their goals. Parents are a part of the IEP team and are encouraged to provide input on all IEP matters, including the amount of service time needed.

## **Will my child receive 1:1 services?**

Under state and federal laws, schools are required to provide services in the Least Restrictive Environment (LRE). A 1:1 setting is typically more restrictive than most students need and may prevent students from interacting with and learning from their peers. In most cases, students will be served in groups with other students.

## **What is the difference between direct and indirect services?**

Direct services are those that are provided directly to the student such as reading instruction, speech therapy, or braille instruction. Indirect services are those that are provided to other professionals who work with the student. For example, a child with a visual impairment may need braille instruction (direct service) but the student's classroom teacher may need assistance in understanding how to adapt the child's environment and instructional activities (indirect service) to meet the needs of the student. In other words, a direct service is provided directly to the child; an indirect service is provided to others in order to support the student.

## **How do children qualify for Special Education transportation?**

Transportation is a related service, which means a service that is required for students to benefit from their special education service. If a student cannot get to and from school in the same manner that other students do, the IEP team must discuss if the student qualifies for special education transportation. A few students may qualify for an aide as well, particularly if there are significant medical needs or other reasons that a student would need that level of support.

## **What is the difference between an Annual IEP and a Three-Year Reevaluation?**

According to State and Federal laws, it is required that an IEP be reviewed at least annually. Additionally, we are required to reevaluate students at least every three years to determine if the student continues to qualify for special education services. In some cases, the IEP team may agree to waive the 3-year reevaluation requirement, but parents must provide their consent to do so.

## How does a student qualify for Extended School (ESY)?

Students between the ages of 3 and 21 with disability-based IEPs may be eligible for Extended School Year (ESY) services through the Special Education Department. The IEP team makes the decision for extending services into the summer or other lengthy school breaks.

The majority of students who attend ESY work on maintaining skills that they have attained during the school year. For these students, the team must consider data that indicates the student would lose skills over the break and that those skills could not be regained within a reasonable time upon returning to school unless extended services were provided. Students may also be considered for ESY based on other factors, such as the severity of the disability or if the student is in the process of attaining a critical skill, such as toileting or self-feeding, and an interruption in their instruction would delay the acquisition of the skill. [Please see the Kansas Special Education Process Handbook, Chapter 5](#), for more information.

## What is Adapted Physical Education?

Adapted Physical Education is physical education, which has been adapted or modified, so that it is as appropriate for the person with a disability as it is for a person without a disability. Sometimes APE may include instruction in the community such as at a swimming pool or bowling alley.

## What is an Educational Advocate?

There are two types of educational advocates.

- An education advocate (referred to as "surrogate parents" in Federal law) is appointed to act on behalf of the child when parents are unknown, unavailable, or parental rights have been severed. The State Special Education for Exceptional Children Act gives the Kansas State Board of Education (KSBE) the authority to appoint education advocates to act on behalf of the child, if parents are unknown, unavailable, or parental rights are severed.
- Parents may hire a private educational advocate for various reasons. At times, a parent may feel that they need more help to understand their child's educational needs or the special education process. Sometimes, parents and the school do not agree on the needed services and parents may want to hire an advocate to assist them. USD 230 welcomes educational advocates to attend IEP meetings and encourages parents to keep the following points in mind:
  - When parents hire an advocate, they may bring the advocate to the IEP meeting at their expense.
  - Advocates are not team members, but they may give input to the team.
  - The IEP meeting is organized and run by the school, not by the advocate.
  - Infrequently, advocates may become adversarial. USD 230 Board Policy 6341, Civility Toward Students and Employees, prohibits uncivil behavior toward staff. On the rare occasion that an advocate or parent becomes uncivil, USD 230 will end the meeting.

## **Why do we ask Parents/Guardians to sign a Medicaid Waiver?**

School districts can claim Medicaid reimbursement for a limited number of services on the IEP for students who are Medicaid eligible. Some reimbursable services are speech therapy and nursing services. Students can become Medicaid eligible for various reasons such as socio- economic status and/or significant medical needs.

## **What is an “Alternate” or “Parallel” curriculum?**

All students must have access to the general education curriculum; however, for students with learning needs, the curriculum may require accommodations and/or modifications. An alternate or parallel curriculum goes a step beyond typical adaptations for instruction. Classroom teachers and special education teachers collaborate to identify the most important learning concepts for the students and work to reduce the complexity for students with more significant learning needs. For example, when students are required to write a story, a student with a significant disability may be asked to identify the characters in an existing story, or to sequence the events in a story. In math, while other students are working on long division, a student with a disability may work on basic math facts.

When teachers alter the curriculum in these ways, it may be referred to by various names, such as alternate, parallel, modified, or differentiated. Teachers sometimes use these terms interchangeably.

## **What is Transition?**

Transition has several meanings in the context of special education. Transition can mean a child moving from one level to another, such as Early Childhood to Kindergarten, elementary to middle school, or from middle school to high school.

In a more formal sense, Transition services are a coordinated set of activities that:

- Improve the academic and functional skills of the student in order to ease the student's movement from school to post-school activities such as postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living or community participation.
- Are based on the individual student's needs, taking into account his or her strengths, preferences and interests.
- Include instruction, related services, community experiences, the development of employment and other post-school adult living objectives and, when appropriate, the acquisition of daily living skills. Transition services often include a functional vocational evaluation.

## What should a Parent do if a concern arises?

We strongly believe that students make the most progress when parents and the school work as partners. From time to time, a disagreement may occur and we are committed to working to find solutions.

- In most cases, contacting your student's case manager is the first step. Share the concern. With the case manager and ask for assistance in resolving the issue.
- If that does not result in a solution, contact the building principal.
- Other contacts are the School Psychologists at each building for elementary and secondary special education and the Director of Special Services. The main number for the special education department is 913-592-7293. The district's [special education](#) webpage contains contact information for individuals. Parents also have more formal dispute resolution options. For more information, see the [Kansas Special Education Process Handbook in chapters 10, 11, and 12.](#)

## What are ways that Parents can get more information about Special Education in USD #230?

For questions about individual students, parents and guardians can contact the principal, school psychologist, or special education teacher at their child's school or the Director of Special Education. Visit the [Special Education page](#) on the USD 230 website for contact information.

# SPECIAL EDUCATION PERSONNEL

*This is a short list of special education service providers and a brief description of the services they provide. Please note that special educators work collaboratively with teams that may include other special educators, general education teachers and paraprofessionals. The descriptions below give an overview only, not a complete description of the services.*

## *Adaptive Physical Education*

- The Adapted Physical Education (APE) teacher is an educationally trained professional who is able to assess individual students and develop, adapt and implement specialized physical education programs in the motor domain.

## *Audiologist*

- The Audiologist designs and implements supports and services to assist students with hearing disabilities in accessing the curriculum within their learning environments and in optimizing their listening environments. The audiologist supervises support personnel with the district's annual hearing and screening program, as well as the annual mandatory hearing screenings of all preschool students

## *Behavioral Interventionist*

- The Behavioral Interventionist will work with educational teams in the development and implementation of positive behavioral support services and interventions for students within their learning environments. Such services and interventions will be individualized to meet the unique behavioral needs of each student.

## *Case Manager*

- Each child with an IEP has a service provider assigned as the case manager. Typically, it is the special education teacher, who provides the most direct service, that serves as a student's case manager.

## *Occupational Therapist (OT)*

- OTs provide services to students with delays in fine motor or self- help skills. May be assisted by a Certified Occupational Therapy Assistant (COTA).

## *Paraeducator*

- A special education employee who typically is not licensed to teach. They perform many instructional duties with students in a variety of settings under the supervision of a licensed special educator.

## *Physical Therapist (PT)*

- Physical therapists provide support to students who require services due to gross motor needs, and may be assisted by a Certified Physical Therapy Assistant (CPTA).

### *Special Education Teacher*

- Special Education Teachers have special licensure to teach students who have been identified as eligible for special education. They also provide support to general education teachers to assist with structuring classrooms to support the needs of students.

### *Speech Language Pathologist (SLP)*

- SLPs provide speech and/or language therapy; may also work on feeding issues, social skills and other areas related to speech and language.

### *School Psychologist*

- School psychologists receive extensive training in the educational evaluation of students. They often lead eligibility and IEP meetings. School psychologists have expertise in analyzing data and assisting teams when they develop interventions for students.

### *Social Worker (SW)*

- Social Workers enhance the social/emotional wellbeing and growth of students to support academic and personal success.

## PROGRAMS WITHIN THE CONTINUUM OF SERVICES

The school district provides special education services in the least restrictive environment. The majority of our students are served in their neighborhood school. Students participate in the general education environment to the maximum extent appropriate, based on their individual needs. The IEP team, including staff and parents, determine the most effective service or combination of services, including:

- **Consultation services:** Students with mild needs may be served through regularly scheduled collaborative planning and problem-solving between general and special educators. Consultative services are provided to staff rather than directly to students.
- **General Education:** (in-class) Support: Students receive their special education services in the general education setting. Collaboration occurs between the general and special educators to design accommodations and/or modifications needed.
- **Resource Rooms:** Students with special needs receive specially designed instruction in a separate setting within the regular school. Most students spend the majority of their day in the general education setting.
- **Center-Based programs:** Center-based programs provide highly-structured and highly- individualized programs for students with moderate to significant disabilities. The programs are located in certain locations within the district. If the IEP team decides that a student will best be served in a center-based program located in a building that is not the student's neighborhood school, transportation will be provided at no cost.

### What is different about a Center-Based Program?

- Services are specialized. Students from across the district come to a particular location that serves their needs most appropriately.
- The staffing ratio is usually smaller.
- The staff may have specialized training.
- The setting may have specialized equipment or structure (quiet spaces, sensory rooms, seclusion room, private bathroom and/or shower.)

### When do we consider Center-Based Programs?

- For a small number of students, the home school does not provide the LRE and a center- based option may be considered.
- We have a specific process that we use to make these determinations.

### When more than one center-based program may be appropriate, how are decisions made?

- The staff utilizes a Least Restrictive Environment process. Staff from all center-based programs began to conduct observations of the student in their current setting and analyze the strengths and weaknesses of each program under consideration.
- The input of the parent is considered.

- Other considerations include:
  - Current numbers of students in each program
  - Home school of the student
  - The needs of a student that may be so significant as to override other concerns (such as easy access to a restroom or safe room)
  - When two or more programs may serve the needs of a student, the decision is made by administrators (principals, special education coordinators, and/or special education director.)

Decisions regarding center-based programming can be complex. Effective communication between staff members and families is a critical component of the decision-making process.

# THE USD 230 SPECIAL SERVICES ADVISORY COMMITTEE

The Special Services Advisory Committee (SSAC) consists of a parent representative from each of the district's schools, special education staff, building administration, and special education administrators. The SSAC includes approximately 20 people and is responsible for communication and advocacy.

## ADDITIONAL RESOURCES

We used the following resources to develop this handbook. **They provide much more information** in their entirety and **we encourage you to review the documents** when you have questions about special education.

[\*The Kansas Special Education Process Handbook\*](#)

[\*Parents' Guide to Special Education in Kansas\*](#)

[\*Parents Rights Document\*](#)

### *Other Important Resources:*

- **Families Together, Inc.** is the Kansas Parent Training and Information (PTI) and Family-to-Family (F2F) Center serving families of children, youth, and young adults with disabilities and/or special health care needs from birth through 26 years old. [topeka@familiestogetherinc.org](mailto:topeka@familiestogetherinc.org) 1-800-264-6343
- **Kansas State Department of Education, Special Education Services** 1-800-203-9462
- **Disability Rights Center of Kansas** 1-877-776-1541
- **Johnson County Developmental Supports** 913-715-5000