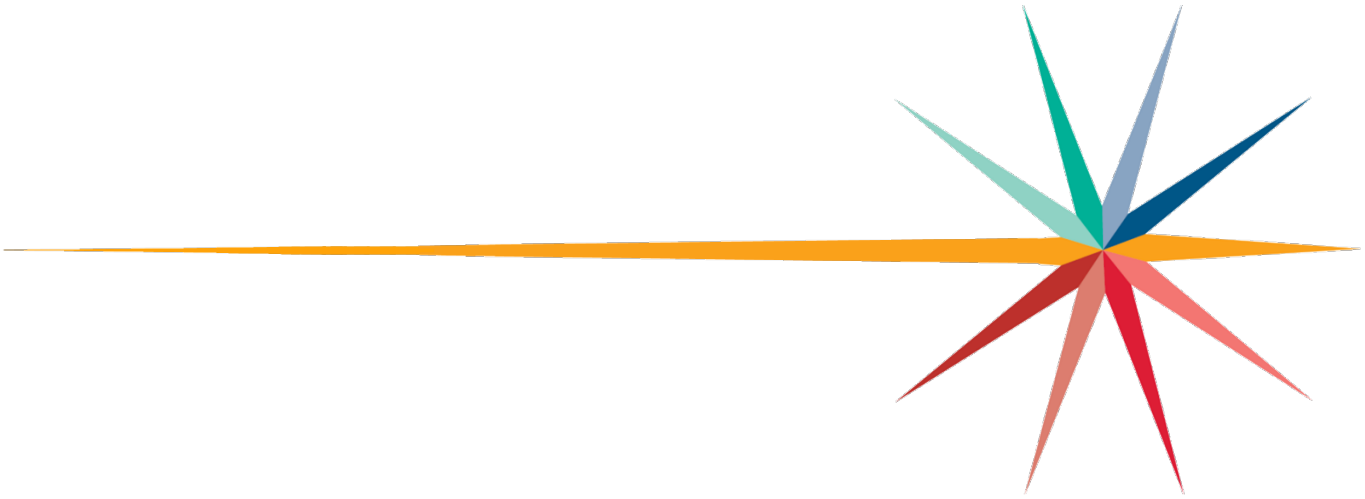
KANSAS SPECIAL EDUCATION PROCESS HANDBOOK



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KANSAS
STATE DEPARTMENT OF
EDUCATION

Kansas leads the world in the success of each student.

INTRODUCTION

ACKNOWLEDGEMENTS

Special Education Services wishes to thank all those that provided input for the 2018 Kansas Special Education Process Handbook, including representatives from Families Together, Inc., the Kansas' Technical Assistance System Network (TASN) and KSDE.

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The Kansas Special Education Process Handbook was developed as a guidance document by the Kansas State Department of Education. It is not an official statement of policy or procedure. If any portion of this document conflicts with law or regulation, the law or regulation takes precedence. The opinions expressed herein do not necessarily reflect the position of the United States Department of Education, and no endorsement by the United States Department of Education should be inferred.

The current version of this handbook may be downloaded at https://www.ksde.gov/policy-and-funding/special-education/special-education-law/process-handbook. This handbook will be updated as needed; for this reason we recommend that you not print a paper copy of this handbook.

The links or copies of selected statutes and regulations in this handbook are for the convenience of the public and are meant to be used only as reference. While the Kansas State Department of Education has made every effort to accurately reproduce these statutes and regulations, they are not the official statutes and regulations of the State or Federal Government. The Kansas Statutes Annotated (K.S.A.), published by the Kansas Office of Revisor of Statutes, and the Kansas Administrative Regulations (K.A.R.), published by the Office of the Kansas Secretary of State should be consulted for the text of the official statutes and regulations of the State. The U.S. Government Publishing Office should be consulted for the text of the official federal statutes and regulations, the United States Code (U.S.C.) and the Code of Federal Regulations (C.F.R.).

- Kansas Special Education Regulations: https://www.ksde.gov/policy-and-funding/special-education/special-education-law/statutes-and-regulations
- Kansas Special Education Statutes http://www.kslegislature.org/li/b2021_22/statute/072_000_0000_chapter/072_034_0000_article/
- Federal Regulations Implementing the IDEA https://sites.ed.gov/idea/statuteregulations/#regulations (2004)

Please contact our team if you have questions about information in this handbook:

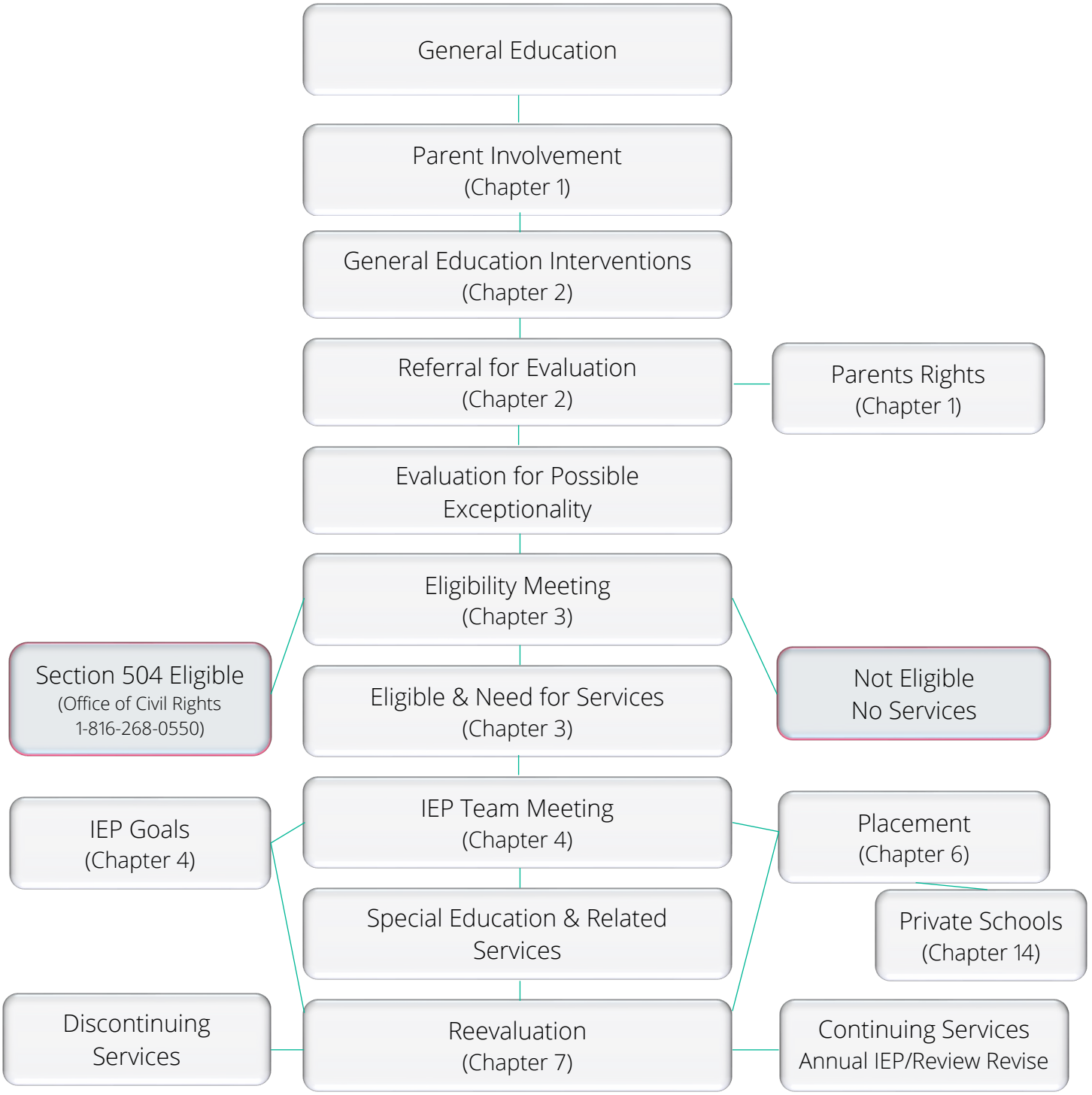
Phone: 800-203-9462, or 785-296-5608
Homepage: https://www.ksde.gov/policy-and-funding/special-education
Special Education Services
Kansas State Department of Education, Landon State Office Building, 900 SW Jackson Street, Suite 620, Topeka KS 66612

6/8/2026 *All links to KSDE website changed. Updated throughout and document reformatted to match current branding.*
7/31/2026 *New Questiona and Answer added to Chapter 11*

STATE IMPOSED RULES, REGULATIONS, AND POLICIES IN KANSAS NOT REQUIRED BY IDEA 2004 OR FEDERAL REGULATIONS

- ✓ The categories of exceptionalities include the category of "gifted." K.S.A. 72-3404(g)
- ✓ Exceptional children attending private schools are entitled to a Free Appropriate Public Education through an IEP, upon request. K.S.A. 72-3462 and K.A.R. 91-40-45(c).
- ✓ A school district must obtain written parental consent before making a change of 25% or more of a special education service or before making a change to a more restrictive or less restrictive educational environment for more than 25% of the school day. K.S.A. 72-3430(b)(6).
- ✓ Each IEP must include, beginning at age 14, appropriate measurable postsecondary goals and a statement of the transition services needed to assist the student in reaching the postsecondary goals. K.S.A. 72-3429(c)(8).
- ✓ The state complaint procedures include the right of a parent to appeal the written decision of the state complaint investigator. K.A.R. 91-40-51(f)(1).
- ✓ A due process hearing officer must be a licensed attorney. K.A.R. 91-40-29(b)(1)(a)
- ✓ General education interventions must be implemented prior to referring a child for a special education evaluation, unless school personnel can demonstrate such interventions are inadequate to address the areas of concern for the child or a parent has consented to an evaluation and the school district agrees that an evaluation is appropriate. K.A.R. 91-40-7(c)(1), (2) and (3).
- ✓ A written evaluation report is required after completion of an evaluation with regard to all categories of exceptionality (not just required for learning disabilities). K.A.R. 91-40-10(a).
- ✓ Facilities for exceptional children must be comparable to facilities for general education children and such facilities must provide an age appropriate environment for the exceptional children. K.A.R. 91-40-52(d).

SPECIAL EDUCATION PROCESS FLOW CHART



Special Considerations:

Confidentiality	Chapter 9	Formal Complaint	Chapter 12
Mediation	Chapter 10	Suspension/Expulsion	Chapter 13
Due Process	Chapter 11	*Code of Student Conduct and weapons, drugs, or dangerous behavior*	

TABLE OF CONTENTS

Introduction i
Acknowledgements i
State Imposed Rules, Regulations, and Policies in Kansas Not Required By IDEA 2004 or Federal Regulations ii
Special Education Process Flow Chart iii
Table of Contents iv
Chapter 1: Parent Rights in Special Education (Procedural Safeguards) 1
A. Parent Participation 2
B. Definition of Parent 3
C. Parent Rights in Special Education Notice 5
D. Prior Written Notice 7
E. Parent Consent 9
F. Parental Consent Requested But Not Provided 16
G. Notice of IEP Team Meeting 17
H. Rights for Parents of Gifted Students 18
I. Education Advocates 19
J. Student Rights at Age 18 22
Questions and Answers About Parent Rights 23
Chapter 2: Screening and General Education Intervention (Child Find) 27
A. Public Notice for Child Find 28
B. Screening for Children from Birth to Age 5 28
C. General Education Intervention (GEI) for Children from Kindergarten Through Age 21 30
D. Data Collection and Documentation for General Education Interventions 35
E. Referral for Initial Evaluation 37
F. Early Intervening Services 38
Questions and Answers About Screening and General Education Intervention (Child Find) 38
Chapter 3: Initial Evaluation and Eligibility 43
Initial Evaluation Flowchart 44
A. Referral for Initial Evaluation 44
B. Prior Written Notice and Request for Consent 45
C. The Evaluation Team 52
D. Timeline for Conducting the Initial Evaluation 53
E. Conducting the Evaluation 54
F. Eligibility Determination and Documentation 61
G. Prior Written Notice for Identification 68
H. Independent Educational Evaluation 68
Questions and Answers About Initial Evaluation and Eligibility 69
Chapter 4: The Individualized Education Program (IEP) 77
A. IEP Team 77
B. Notice of IEP TEAM Meeting 84
C. Using an IFSP Instead of an IEP 87
D. When the IEP/IFSP Must be in Effect 87
E. Development of the IEP 89
F. Meeting to Review, Revise, or Amend the Individualized Education Program 110
G. Transfer Within the State and From Out of State 112
H. Implementing the Individualized Education Program 114
Questions and Answers About The Individualized Education Program (IEP) 115
Chapter 5: Special Education and Related Services 123
A. Special Education Services 123
B. Related Services 127
C. Supplementary Aids and Services 132
D. Program Modifications and Supports for School Personnel 135
E. Permissive use of funds 135
F. Extended School Year/Day Service 135

G. Frequency, Location, and Duration of Services 137
H. Home Schooling 138
I. Services in Local Detention Facilities and Department of Corrections Facilities 140
J. Facilities 141
K. Qualified Special Education Personnel 141
Questions and Answers About Special Education and Related Services 143
Chapter 6: Educational Placement and Least Restrictive Environment (LRE) 149
A. Parent Participation 150
B. Determining Educational Placement 151
C. Least Restrictive Environment (LRE) 154
D. Early Childhood Least Restrictive Environment (LRE) 158
E. Recent Case Law 159
LRE Decision Tree 162
Questions and Answers About Educational Placement and Least Restrictive Environment (LRE) 163
Chapter 7: Reevaluation 169
A. Purpose of the Reevaluation 169
B. Need for the Reevaluation 170
C. Prior Written Notice and Request for Consent 171
D. Members of the Reevaluation Team 175
E. Conducting the Reevaluation 176
F. Determining Continued Eligibility 181
G. Reevaluations for a Child Identified as Developmentally Delayed 182
Questions and Answers About Reevaluation 183
Chapter 8: Discontinuing Special Education Services 185
A. No Longer Eligible for Services 185
B. Graduation 185
C. Services Through Age 21 186
D. Revocation of Consent for All Special Education Services 187
E. Student Drops Out of School 188
F. Summary of Performance (SOP) 189
G. Prior Written Notice and Request for Consent 190
Questions and Answers About Discontinuing Special Education Services 191
Chapter 9: Confidentiality 193
A. Federal and State Requirements 193
B. Access to Records 195
C. Transfer of Records 197
D. Release of Information 198
E. Amendment of Records 201
F. Destruction of Special Education Records 202
G. Age of Majority 202
H. Test Protocols 203
I. Discipline Records 203
J. Child in Need of Care 204
Questions and Answers About Confidentiality 205
Chapter 10: Mediation 209
A. Mediation Process 209
Special Education Mediation Process 210
B. Mediation Requests 211
C. Mediation Participants 212
D. Special Education Mediators 212
E. Mediation Results 212
Suggested Mediation Process Timeline 215
Questions and Answers About Mediation 216

Chapter 11: Formal Complaint 218
A. Filing a Formal Complaint 218
B. Investigating the Complaint 219
C. Follow Up on the Complaint 220
D. Appealing the Decision 221
E. Sanctions by the State Board of Education 221
Formal Complaint Procedure 223
Formal Complaint Timeline 224
Questions and Answers About Formal Complaint 225
Chapter 12: Due Process Hearing 227
A. Filing For Due Process 228
B. Assigning a Special Education Due Process Hearing Officer 228
C. Resolution Meeting 229
D. Prehearing Requirements 230
E. Conducting a Due Process Hearing 231
F. Reaching a Decision 231
G. Appealing the Due Process Decision 232
H. Stay Put 233
I. Civil Actions 233
J. Attorney Fees 233
Due-Process Timeline (Pre-Hearing Procedures) 239
Questions and Answers About Due Process Hearing 240
Chapter 13: Suspension and Expulsion of Children with Disabilities for Disciplinary Violations 243
A. Local School District Responsibilities 244
B. Code of Conduct Violations 245
Procedures For Disciplinary violations For Code Of Student Conduct Including weapons, Drugs, Serious Bodily Injury 248
C. Short Term Removals (Not a Change of Placement) 249
D. Subsequent Short-Term Removals (Not a Change in Placement) 249
E. Long-Term Removals (Change of Placement) 251
F. 45 School Day Interim Alternative Educational Setting (Weapons, drugs, or Serious Bodily Injury) 255
G. 45 School day interim alternative educational setting (Special education expedited due process hearing) 256
H. Appeals through a special education expedited due process hearing 256
I. Children Not Yet Eligible For Special Education 259
J. Reporting a Crime 260
Questions and Answers About Suspension and Expulsion of Children with Disabilities for Disciplinary Violations 262
Chapter 14: Children in Private and Parochial Schools 267
A. Children Placed in Private Schools By The Public School 267
B. Children Enrolled By Their Parents in Private Schools When FAPE is at ISSUE 269
C. Child Find for Children Voluntarily Enrolled in Private Schools By Their Parents 270
D. State Law Requirements for Children Voluntarily Enrolled in Private Schools By Their Parents 272
E. Federal Requirements for Children Voluntarily Enrolled in Private Schools By Their Parents 274
F. Mediation and Due Process Rights for Private School Children 281
Questions and Answers About Children in Private and Parochial Schools 282
Board page 288