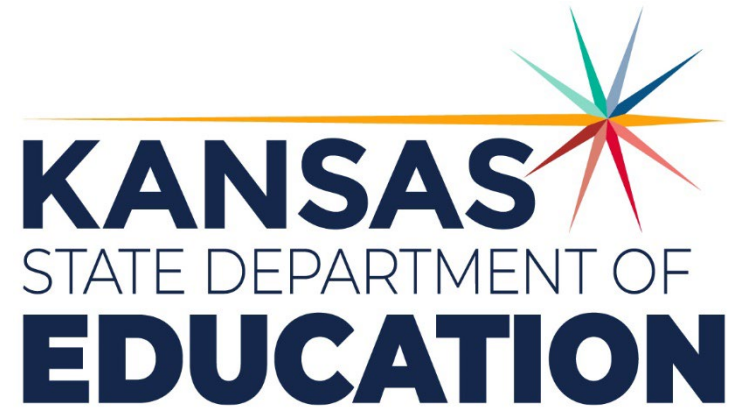




Significant Disproportionality: *Targeted* Self-Assessment Tool

A review of policies, practices, and procedures in the area of disciplinary removals of children with disabilities

A local educational agency (LEA) identified by the state as having significant disproportionality is required to review and, if appropriate, revise its policies, practices, and procedures used in identification or placement in particular education settings, and/or disciplinary removals, to ensure that the policies, practices, and procedures comply with the requirements of the Individuals with Disabilities Education Act (IDEA); and publicly report on the revision of those policies, practices, and procedures consistent with the requirements of the Family Educational Rights and Privacy Act, its implementing regulations in 34 CFR part 99, and Section 618(b)(1) of the IDEA. 20 U.S.C. § 1418(d)(1); 34 C.F.R. § 300.646(a).

The review and, if appropriate, revision must be conducted every year in which the LEA is identified with significant disproportionality. See 34 C.F.R. § 300.646(c)(1).

LEA # and Name: _____

Contact Name: _____

Contact Email: _____

Contact Phone: _____

This tool is intended only for LEAs who are conducting a consecutive annual policy, practice, and procedures review in the same area of disproportionality.

Such LEAs are required to verify prior year responses for the targeted areas provided here by providing a link or copy to the policy or procedure and conduct updated review and response to all items in which a policy, practice, or procedure has changed since the prior year's review. The LEA must address any continuing or new policy, practice, or procedure it identifies as contributing to the significant disproportionality in its comprehensive coordinated early intervening services (CCEIS) plan. LEAs are encouraged to contact KSDE for assistance in the completion and submission of this self-assessment and any questions regarding the applicable timelines and related actions required due to the LEA's significant disproportionality. Technical assistance in conducting this review is available; contact your KSDE Significant Disproportionality Lead and Technical Assistance Team members, or request TA at www.ksdetasn.org. LEAs are encouraged to contact KSDE at any time with questions regarding the applicable timelines and actions required due to the LEA's significant disproportionality.

Significant Disproportionality: Targeted Self-Assessment Tool – Disciplinary Removals
Related Requirements Section 1: Changes in Placement for Disciplinary Reasons

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Verification Provide specific link or attach a copy of the policy and/or procedure (i.e., board policy, handbook, LEA form, memorandum)	Changes since last review? Has the policy or procedure changed since the LEAs last review? YES/NO	If Yes, Conduct Policy & Procedure Review. Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If NO Is this contributing to the LEAs identified disproportionality? YES/NO	Changes since last review? Have the LEA Practices changed since the LEAs last review? YES/NO	If Yes, Conduct Practices Review. Are the LEA Practices consistent with the regulatory requirement? YES/NO	If YES Is this contributing to the LEAs identified disproportionality? YES/NO	KSDE Only Timely submitted and responses verified by KSDE? YES/NO	KSDE Only Reviewer Comments
K.S.A. 72-3433 Change in placement of child with disability to alternative setting as disciplinary action for certain behavior (a) School personnel may order a change in the placement of a child with a disability:									
(1) To an appropriate interim alternative educational setting or other setting, or the short-term suspension of the child;									
(3) To an appropriate interim alternative educational placement for not more than 186 school days, if it is determined that the conduct of the child violated the code of student conduct and was not a manifestation of the child's disability, if the relevant disciplinary procedures applicable to children without disabilities are applied in the same manner and the discipline is for the same duration as would be applied to a child without disabilities, except that services must continue to be provided to the child during the period of disciplinary action.									
(b) Any child with a disability whose placement is changed under subsection (a)(3) shall:									
(1) Continue to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting and to progress toward meeting the goals set out in the child's IEP; and									
(2) receive, as appropriate, a functional behavioral assessment, behavioral intervention services, and modifications that are designed to address the inappropriate behavior so that it does not recur.									

Significant Disproportionality: Targeted Self-Assessment Tool – Disciplinary Removals

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for any noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Timely submitted and responses verified by KSDE? YES/NO	KSDE Only Reviewer Comments

Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable	Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

Related Requirements Section 2: Alternative Setting, Functional Behavioral Assessment and Behavioral Intervention Plan, Duties of IEP Team

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Verification Provide specific link or attach a copy of the policy and/or procedure (i.e., board policy, handbook, LEA form, memorandum)	Changes since last review? Has the policy or procedure changed since the LEAs last review? YES/NO	If Yes, Conduct Policy & Procedure Review. Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If NO Is this contributing to the LEAs identified disproportionality? YES/NO	Changes since last review? Have the LEA Practices changed since the LEAs last review? YES/NO	If Yes, Conduct Practices Review. Are the LEA Practices consistent with the regulatory requirement? YES/NO	If YES Is this contributing to the LEAs identified disproportionality? YES/NO	KSDE Only Timely submitted and responses verified by KSDE? YES/NO	KSDE Only Reviewer Comments
K.S.A. 72-3433 Change in placement of child with disability to alternative setting as disciplinary action for certain behavior; duties of IEP team and hearing officer; behavioral assessment and intervention plan; determination and review procedure (d) If a disciplinary action is contemplated as described in K.S.A. 72-3433(a)(2) or (a)(3): (1) Not later than the date on which the decision to take that action is made, the agency shall notify the parents of that decision and of all procedural safeguards afforded under K.S.A. 72-3434, and amendments thereto; and									
(2) within 10 school days of the date on which the decision to take disciplinary action is made, a review shall be conducted to determine the relationship between the child's disability and the conduct that is subject to disciplinary action.									
(e)(1) The review described in subsection (d)(2) shall be conducted by the agency, the parent, and relevant members of the child's IEP team as determined by the parent and the agency. In carrying out the review, that group shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parent.									
(2) Based upon its review of all the relevant information, the group shall determine if the conduct in question: (A) Was caused by, or had a direct and substantial relationship to, the child's disability; or (B) was the direct result of the agency's failure to implement the child's IEP.									
(3) If it is determined that the conduct of the student is described in either paragraph (2)(A) or (2)(B) of this subsection, then the conduct shall be determined to be a manifestation of the child's disability.									
(f) If it is determined that the conduct of a child was a manifestation of the child's disability, the IEP team shall: (1) Conduct a functional behavioral assessment, and									

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Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Verification Provide specific link or attach a copy of the policy and/or procedure (i.e., board policy, handbook, LEA form, memorandum)	Changes since last review? Has the policy or procedure changed since the LEAs last review? YES/NO	If Yes, Conduct Policy & Procedure Review. Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If NO Is this contributing to the LEAs identified disproportionality? YES/NO	Changes since last review? Have the LEA Practices changed since the LEAs last review? YES/NO	If Yes, Conduct Practices Review. Are the LEA Practices consistent with the regulatory requirement? YES/NO	If YES Is this contributing to the LEAs identified disproportionality? YES/NO	KSDE Only Timely submitted and responses verified by KSDE? YES/NO	KSDE Only Reviewer Comments
implement a behavioral intervention plan for such child, provided that the agency has not conducted such an assessment prior to the behavior that resulted in a change in placement; (2) If the child already had a behavioral intervention plan, review and modify it, as necessary, to address the behavior; and (3) Except as provided in paragraph (a)(2), return the child to the placement from which the child was removed, unless the parent and the agency agree to a change of placement as part of the modification of the behavioral intervention plan									
Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for any noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.)						KSDE Only Timely completed & received? YES/NO	KSDE Only Reviewer Comments	
Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable	Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left and add lines below as needed.)						KSDE Only Revised PPP publicly reported and timely submitted? YES/NO		

Related Requirements Section 3: General Agency Policies, Practices, Procedures Related to Disciplinary Removals

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Verification Provide specific link or attach a copy of the policy and/or procedure (i.e., board policy, handbook, LEA form, memorandum)	Changes since last review? Has the policy or procedure changed since the LEAs last review? YES/NO	If Yes, Conduct Policy & Procedure Review. Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If NO Is this contributing to the LEAs identified disproportionality? YES/NO	Changes since last review? Have the LEA Practices changed since the LEAs last review? YES/NO	If Yes, Conduct Practices Review. Are the LEA Practices consistent with the regulatory requirement? YES/NO	If YES Is this contributing to the LEAs identified disproportionality? YES/NO	KSDE Only Timely submitted and responses verified by KSDE? YES/NO	KSDE Only Reviewer Comments
Does the LEA have policies and procedures for prevention and intervention prior to office referrals for discipline?									
Do LEA behavior policies and procedures incorporate awareness of student needs, including conducting Functional Behavioral Assessments (FBA) and development and implementation of Behavior Intervention Plans (BIP)?									
Does the LEA have policies and procedures for prevention and intervention prior to removals for disciplinary reasons?									
Does LEA discipline policy allow for the suspension and/or expulsion of a student for conduct other than the most serious and severe behavior?									
Are LEA policies and procedures on code of conduct sensitive to diverse cultures?									
How are the general LEA policies and procedures provided to all employees, including new employees?									

Significant Disproportionality: Targeted Self-Assessment Tool – Disciplinary Removals

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for any noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Timely completed & received? YES/NO	KSDE Only Reviewer Comments

Part III: Publicly Posting Revised Policies, Practices, and Procedures, if applicable	Provide documentation that the LEA publicly reported on all revised policy, practice, and/or procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

LEA Certification of Accuracy	
By submitting this form, I verify that the information provided in this report is accurate.	

Name of LEA Representative Submitting this Report	Date
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KSDE USE ONLY
Self-Assessment Tool Review KIAS Compliance Processing
Any LEA identified with noncompliance is required to take specific corrective actions to timely correct the finding of noncompliance as soon as possible and in no case more than one year from the state’s identification of the noncompliance. The correction of noncompliance includes updating relevant policies, procedures, and/or practices.

Compliance Determination based on Self-Assessment Tool: The LEA has been identified as having noncompliance with the following IDEA requirement(s):	
COMPLIANT No Corrections Required	NONCOMPLIANT Updated Police, Procedures, and/or Practices Required

Comments:

KSDE USE ONLY
Date: KSDE Initial Compliance Notification sent to LEA

Date: Initial Compliance Notification sent to LEA _____

(Use this field if correction of noncompliance required. If correction of noncompliance is not required after initial review, use the KSDE Final Compliance Notification sent to LEA field below.)

KSDE USE ONLY
Correction of Noncompliance Review

Date: Correction of Noncompliance due to KSDE _____

Date: Correction of Noncompliance Submitted _____

Date: KSDE review of correction of updated policies, practices, and/or procedures _____

KSDE USE ONLY
Final Compliance Determination

COMPLIANT
Correction of polices, practices
and/or procedures reviewed by KSDE
and completed within timeframe

NONCOMPLIANT
Noncompliance still not corrected – further revisions
required to policies, practices, and/or procedures

Comments:

Date: KSDE Final Compliance Notification sent to LEA _____