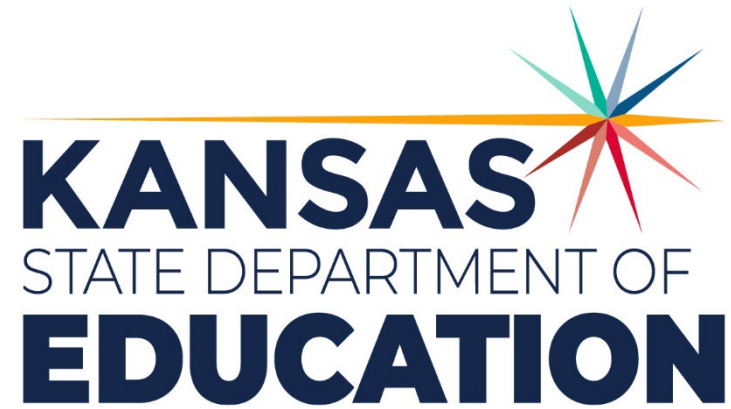




Significant Disproportionality Self-Assessment Tool

A review of policies, practices, and procedures in the area of incidence, duration, and type of disciplinary actions, including suspensions and expulsions

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 C.F.R. part 99, and Section 618(b)(1) of the IDEA. 20 U.S.C. § 1418(d)(1); 34 C.F.R. § 300.646(a)..

LEA # and Name: _____

Contact Name: _____

Contact Email: _____

Contact Phone: _____

This tool is designed to facilitate and document an LEA's focused review of its policies, practices, and procedures that most closely relate to disciplinary removals. LEA policies are generally considered to be those policies written and adopted by local board authority, procedures are generally written and formally approved or adopted by administration or board in some manner, and practices are the actual implementation of those policies and procedures through the behavior and actions of staff and administration within the LEA. If a regulation specifically requires a board-adopted policy, it will be so stated in the regulatory requirement column; otherwise the LEA should have policies and/or procedures related to a particular requirement to explain how that regulatory requirement will be implemented in the LEA.

KSDE expects LEAs conducting this review to convene a local stakeholder team (such as relevant teachers, administrators, parents, and other stakeholders relevant to the area identified as significantly disproportionate) to complete this review. In addition to the review and revision, if appropriate, of local policies, practices, and procedures, the LEA must address a policy, practice, or procedure it identifies as contributing to the significant disproportionality in its comprehensive coordinated early intervening services (CCEIS) plan.

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.

Related Requirements Section 1: IEP Development

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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. 72-3429 Individualized education program or family service plan; development										
(d) In developing each child's IEP, the IEP team shall consider:										
(1) The strengths of the child and the concerns of the parents for enhancing the education of their child;										
(2) the results of the initial evaluation or most recent evaluation of the child;										
(3) the academic, developmental and functional needs of the child;										
(4) in the case of a child whose behavior impedes the child's Learning or that of others, the use of positive behavioral interventions and supports and other strategies to address that behavior										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	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

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Related Requirements Section 2: IEP Contents and Duties of IEP Team

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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. 72-3429 Individualized education program or family service plan; contents. (c) The IEP for each exceptional child shall include: (1) A statement of the child's present levels of academic achievement and functional performance, including: (A) How the child's disability or giftedness affects the child's involvement and progress in the general education curriculum; (B) for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities; and (C) for those children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;										
(2) a statement of measurable annual goals, including academic and functional goals designed to: (A) Meet the child's needs that result from the child's disability or giftedness, to enable the child to be involved in and make progress in the general education or advanced curriculum; and (B) meet each of the child's other educational needs that result from the child's disability or giftedness;										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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
(3) a description of how the child's progress toward meeting the annual goals will be measured and when periodic reports on the progress the child is making toward meeting the annual goals will be provided, such as through the use of quarterly or other periodic reports issued concurrently with general education report cards;										
(4) a statement of the special education and related services and supplementary aids, based on peer-reviewed research to the extent practicable, and services to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided for the child: (A) To advance appropriately toward attaining the annual goals; (B) to be involved in and make progress in the general education curriculum in accordance with provision (1) and to participate in extracurricular and other nonacademic activities; and (C) to be educated and participate with other exceptional and nonexceptional children in the activities described in this paragraph										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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. 72-3429 Individualized education program or family service plan; duties of IEP Team (f) Each agency shall ensure that the IEP team: (1) Reviews the child's IEP periodically, but not less than annually to determine whether the annual goals for the child are being achieved; and										
(2) revises the IEP, as appropriate, to address: (A) Any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate; (B) the results of any reevaluation conducted under this section; (C) information about the child provided by the parents; (D) the child's anticipated needs; or (E) other matters.										

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	KSDE Only Timely completed & received? YES/NO	KSDE Only Reviewer Comments

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

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.	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions
Related Requirements Section 3: Change in Placement for Disciplinary Reasons

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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.										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One	If YES	If NO		Step Two	If YES	If NO		KSDE Only	KSDE Only
	Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	Provide specific reference (document, section, and page) to the policy and/or procedure.	Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Timely submitted and responses verified by KSDE? YES/NO	Reviewer Comments
(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 Self-Assessment Tool – Disciplinary Actions

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	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.	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

Related Requirements Section 4: 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	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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.										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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
(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.										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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
(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 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										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	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.	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions
Related Requirements Section 5: Parental Disagreement, Due Process Hearing

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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. 72-3434 Parental disagreement with determination; due process hearing and review (a) The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under K.S.A. 72-3433, and amendments thereto, or an agency that believes that maintaining the current placement of a child is substantially likely to result in injury to the child or to others, may request a hearing.										
K.S.A. 72-3435 Same; placement of child during pendency of due process proceedings (b) The agency shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. To expedite the hearing, the agency, within three school days of receiving the request for a hearing, shall request the state board to appoint a hearing officer to conduct the hearing.										

Significant Disproportionality Self-Assessment Tool – Disciplinary Actions

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	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.	KSDE Only Revised PPP publicly reported and timely submitted? YES/NO

Related Requirements Section 6: Review of Related General Education Discipline Policies, Practices, Procedures

Part I: Review of Policies, Practices & Procedures for the Related IDEA Requirement	Step One Is there evidence that a compliant LEA Policy and/or Procedure is in place? YES/NO	If YES Provide specific reference (document, section, and page) to the policy and/or procedure.	If NO Briefly describe the noncompliance.	Is this contributing to the LEAs identified disproportionality? YES/NO	Step Two Is there evidence that the LEA Practices are consistent with the regulatory requirement? YES/NO	If YES Provide specific reference to or statement of the evidence (i.e., file, interview, observation)	If NO Briefly describe the noncompliance.	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 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 Self-Assessment Tool – Disciplinary Actions

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Note: This part required <i>only if</i> the general education policy, practice, or procedure was determined noncompliant with the IDEA.)	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. (This Part Required <i>Only if</i> the General Policy, Practice, or Procedure was determined noncompliant with the IDEA.)	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
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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 _____