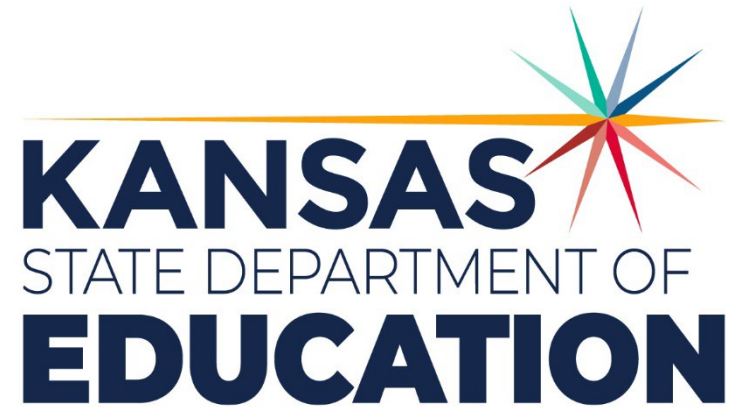




Significant Disproportionality Self-Assessment Tool

A review of policies, practices, and procedures in the area of i placement of children with disabilities in particular settings

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: Development and Implementation of IEPs - *Placement*

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
	The public agency ensures that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty. 34 C.F.R. § 300.310(a)									
	The public agency ensures that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services. 34 C.F.R. § 300.115(a)									
	The continuum must include the alternative placements listed in the definition of special education under Sec. 300.38 (instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions). 34 C.F.R. § 300.115(b)(1)									
	The placement decision is made by a group of persons, including the parents, and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. 34 C.F.R. § 300.116 (a)(1)									
	The child's placement is determined at least annually. 34 C.F.R. § 300.116 (b)(1)									

Significant Disproportionality Self-Assessment Tool –

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
The child's placement is based on the child's IEP. 34 C.F.R. § 300.116 (b)(2)										
Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that he or she would attend if nondisabled. 34 C.F.R. § 300.116(c)										
In selecting the LRE, consideration is given to any potential harmful effect on the child or on the quality of services that he or she needs. 34 C.F.R. § 300.116(d)										
A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. 34 C.F.R. § 300.116(e)										
The public agency ensures that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. The public agency must ensure that each child with a disability has the supplementary aids and services determined by the child's IEP Team to be appropriate and necessary for the child to participate in nonacademic settings. 34 C.F.R. § 300.117										

Significant Disproportionality Self-Assessment Tool –

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
The public agency ensures that the removal of children with disabilities from the regular education environment occurs only when the nature or severity of the disability is such that the education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. § 300.114(a)(2)(ii)										
In the case of a child with limited English proficiency, the IEP team considers the language needs of the child as those needs relate to the child's IEP. 34 C.F.R. §300.324(a)(2)(ii)										
The IEP for each child with a disability addresses how the child will be involved and progress in the general curriculum. 34 C.F.R. § 300.347(a)(1)(2)										

Significant Disproportionality Self-Assessment Tool –

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Correctly revised and timely submitted? 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 submitted by the required deadline? YES/NO

Significant Disproportionality Self-Assessment Tool –
Related Requirements Section 2: Discipline - *Placement*

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
School personnel consider unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for a child with a disability who violates a code of student conduct. 34 C.F.R. § 300.530(a)										
Students with disabilities who are removed from their current placement are provided services in another setting in order to continue to participate in the general education curriculum and to progress toward meeting IEP goals. 34 C.F.R. § 300.530(d)(1)(i)										
The LEA takes steps to remedy any deficiencies in the student's IEP or placement as identified by the manifestation team. 34 C.F.R. § 300.530(e)(3)										
The student is returned to the placement from which the student was removed if a determination is made that the conduct was a manifestation of the student's disability, unless the parent and the school LEA agree to a change of placement as part of the modification of the behavioral intervention plan. 34 C.F.R. § 300.530(f)(2)										

Significant Disproportionality Self-Assessment Tool –

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
Students with disabilities are removed to an alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability if the child: • Carries a weapon to or possesses a weapon, • Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, and/or • Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function. 34 C.F.R. § 300.530(g)										
When a student has been removed for more than 10 days and the student's conduct is a manifestation of the student's disability, the IEP Team conducts a functional behavioral assessment and implements a behavioral intervention plan. 34 C.F.R. § 300.530(f)(1)(i)										

Significant Disproportionality Self-Assessment Tool –

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left and add lines below as needed.)	KSDE Only Correctly revised and timely submitted? 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 submitted by the required deadline? YES/NO

Related Requirements Section 3: Assistive Technology including accessible instructional materials - *Placement*

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
Each public agency must ensure that assistive technology devices or assistive technology services, or both, as those terms are defined in 34 C.F.R. § 300.5 and 300.6, respectively, are made available to a child with a disability if required as a part of the child's special education, related services, and or supplementary aids and services. 34 C.F.R. § 300.105(a)										
Funds are provided to support the use of technology, including technology with universal design principles and assistive technology devices, to maximize accessibility to the general education curriculum for children with disabilities. 34 C.F.R. § 300.704(b)(4)(v)										
In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child. 34 C.F.R. § 300.324(a)(2) (iii)										

Significant Disproportionality Self-Assessment Tool –

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
The IEP Team considers the communication needs of the child. 34 C.F.R. § 300.324(a)(2)(iv)										
In the case of a child who is deaf or hard of hearing, the IEP team considers the child's language and communication needs, opportunities for direct communications with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode. 34 C.F.R. § 300.324(a)(2)(iv)										
The IEP Team considers whether the child needs assistive technology devices and services. 34 C.F.R. § 300.324(a)(2)(v)										
A regular education teacher of a child with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the child, including the determination of appropriate positive behavioral interventions and supports and other strategies for the child; and supplementary aids and services, program modifications, and support for school personnel consistent with 34 C.F.R. § 300.320(a)(4). 34 C.F.R. § 300.324(a)(3)										

Significant Disproportionality Self-Assessment Tool –

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
The public agency, as part of any print instructional materials adoption process, procurement contract, or other practice or instrument used for purchase of print instructional materials, must enter into a written contract with the publisher of the print instructional materials to— (i) Require the publisher to prepare and, on or before delivery of the print instructional materials, provide to NIMAC electronic files containing the contents of the print instructional materials using the NIMAS; or (ii) Purchase instructional materials from the publisher that are produced in, or may be rendered in, specialized formats. (2) Provide instructional materials to blind persons or other persons with print disabilities in a timely manner. 34 C.F.R. §300.172(c), 300.210(a)										

Significant Disproportionality Self-Assessment Tool –

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures. (Cite the applicable requirement to the left.)	KSDE Only Correctly revised and timely submitted? 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.)	KSDE Only Revised PPP publicly reported and submitted by the required deadline? YES/NO

Significant Disproportionality Self-Assessment Tool –
Related Requirements Section 4: Procedural Safeguards - *Placement*

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
The parents of a child with a disability are provided written notice a reasonable time before the public agency propose or refuses to initiate or change the educational placement of a child. 34 C.F.R. § 300.503(a)										
The contents of such notice include a description of other options considered and the reasons why those options were rejected; and a description of other factors relevant to the agency's proposal or refusal. 34 C.F.R. § 300.503(b)(6), (7)										
The public agency ensures that a parent of each child with a disability is a member of any group that makes decisions on the educational placement of the parent's child. 34 C.F.R. § 300.501(c)(1)										
If neither parent can participate in a meeting in which a decision is to be made regarding the educational placement of the child, the public agency uses other methods to ensure parent participation, including individual or conference calls or video conferencing. 34 C.F.R. § 300.501(c)(3)										

Significant Disproportionality Self-Assessment Tool –

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
If a placement decision is made by a group without the involvement of a parent, the LEA maintains a record of the attempts to ensure their involvement. 34 C.F.R. § 300.501(c)(4)										
The LEA notifies the parent on the date in which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct and provides the parents with the procedural safeguards notice. 34 C.F.R. § 300.530(h)										

Significant Disproportionality Self-Assessment Tool –

Part II: Revision of Policies, Practices, Procedures, if applicable	Provide documentation of revision for all missing or noncompliant policies, practices, and procedures.	KSDE Only Correctly revised and timely submitted? 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 submitted by the required deadline? YES/NO

Related Requirements Section 5: Related General Institutional Policies, Practices, Procedures - *Placement*

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
Do the LEA's policies, practices, and procedures support the placement of the target group in the least restrictive environment?										
Do the LEA's policies, practices, and procedures support the placement of other ethnic groups in the least restrict environment?										
Do the LEA's policies, practices, and procedures support the return of students placed in the separate facility to a general education environment?										
Do the LEA's policies, practices and procedures incorporate the provisions of supports in the general education environment for students returning from the separate facility?										
Do LEA policies and procedures in curriculum and instruction incorporate awareness of the ways in which race, ethnicity, culture, social class, ability and language impact learning?										
Does the LEA provide professional learning and support in areas of differentiated instruction and general education supports to increase access to the general curriculum for all students?										

Significant Disproportionality Self-Assessment Tool –

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
Do schools provide an effective system of schoolwide, classroom, small group and individualized supports for all students?										
Does the LEA professional learning support collaboration among general and special educators?										
Does the LEA provide training and coaching on the application of positive behavior interventions and supports?										
Does the LEA engage in a continuous improvement process that considers disproportionality in placement?										
How are data on disproportionality integrated within the LEA and schools' continuous improvement and planning processes?										

Significant Disproportionality Self-Assessment Tool –

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 only if the general education policy, practice, or procedure was determined noncompliant with the IDEA.)	KSDE Only Correctly revised and timely submitted? 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 only if the general education policy, practice, or procedure was determined noncompliant with the IDEA.)	KSDE Only Revised PPP publicly reported and submitted by the required deadline? 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 _____