

**North Central Kansas Special Education
Cooperative**

**Special Education Practices and
Procedures Handbook**

BOD approved _____

Introduction to the NCKSEC Practices and Procedures Handbook

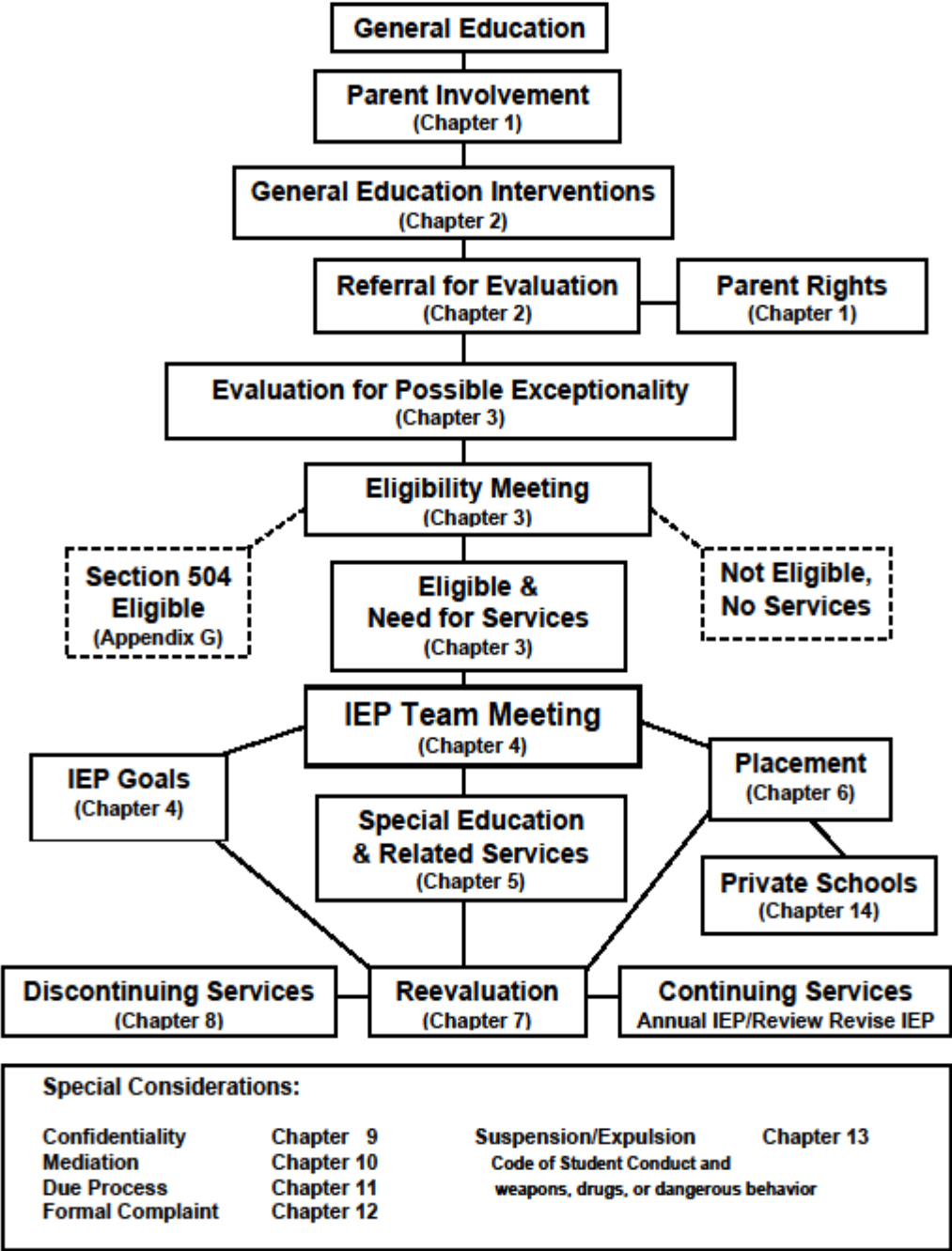
During the course of any given school year, questions frequently arise concerning the appropriate procedures and forms needed for various common special education actions. Questions also arise concerning staff responsibilities and roles. It is desirable that the answers to these questions be as consistent as possible. This handbook is an effort to answer some of the more frequently asked questions and to bring consistency to the procedures throughout the NCKSEC. Undoubtedly, new questions will arise, new regulations or interpretations of regulations will be made, and opinion about best practice will change. This document will be reviewed and revised at least annually and is designed to be modified and expanded as needed. New clarifications of procedures, changes in procedures and forms, and additions may occur. If the changes are deemed important enough, the handbook will be amended within the school year. However, most routine updates and changes will be made in the summer months to be put into effect during the next school year.

When questions arise, staff should first review this handbook and the Kansas Special Education Process Handbook. If the answers are not included, or not clear, the appropriate building school psychologist, assistant director or the director of special education should be contacted. Questions of common concern are likely to initiate additions or changes to this handbook. Staff is also encouraged to contact the assistant director if they feel some process needs to be clarified and/or standardized.

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SPECIAL EDUCATION FLOW CHART



1. Child Find, Initial Evaluation and Reevaluation

Each district within the NCKSEC will implement the procedures within this section in order to locate, identify and evaluate all children with exceptionalities residing within its jurisdiction. Districts will take measures to ensure the following groups of children are targeted during child find activities:

1. Children who attend private schools;
2. are highly mobile, including migrant and homeless children; or
3. those suspected of having a disability even though they are advanced from grade to grade.

Public Notice of Special Education Services

Annually, in August, each local district will provide information concerning the availability of special education services for exceptional children, including child find activities for children aged 5-21. Districts may publish that information through their school handbooks, district websites, district newsletters, and local newspapers.

Furthermore, to target children of highly mobile families, notices of services and child find activities will be given to local church leaders and community ministry alliances as well as posted at food bank locations, grocery stores, thrift stores, and community-based agencies (SRS office, county health department, etc.).

A. Early Screenings (Birth-5)

General Procedures

Early screening is the first step in the identification of exceptional children Birth – 5. Screening procedures consider all children in a given population in order to locate those who may be eligible and in need of special education services. Because all children may participate in screening activities, prior written parental consent is not required.

Throughout the school year, the NCKSEC will partner with Kid-Link to ensure that children from birth to kindergarten age are screened to identify potential developmental delays or disabilities in the areas of communication, cognitive development, social-emotional development, self-help/adaptive behavior, hearing or vision impairment, and or physical development. A memorandum of agreement (Appendix A) has been developed to clarify the roles and responsibilities of each party. In general the NCKSEC will be responsible for the screening of children age 3-5 and Kid-Link will assume the responsibility of children age birth to 3. In order to best organize their efforts both agencies will schedule and conduct screenings together when ever

possible. This will help the needs of families that may have multiple children across the birth to 5 age range who would benefit from screening.

In addition to scheduled screening events, parents have the right to request a screening at any time. For children age 3-5, the NCKSEC will respond and conduct a screening within 30 calendar days of any request. If a parent requests a screening and a child find screening event is scheduled within the local district within 30 days, the parent should be encouraged to make an appointment during that screening. However, if a parent has a conflict with the scheduled screening date, the NCKSEC will make special efforts to screen the child individually, keeping in mind it is our duty to locate and screen all students who may potentially be in need of special education and related services.

If the results of the early childhood screening indicate a potential developmental delay or disability, the screening team makes a referral for initial evaluation. (See section II. - Initial Evaluation). **No child will be placed in any special education program solely on the basis of screening activities.**

B. Timely Transition From Part C to Part B

Kid-Link must notify the ECSE Teacher and School Psychologist of the receiving district at least 90 days prior to the third birthday of any child receiving Part C services. The school will then meet the following requirements before the child's third birthday.

1. Eligibility Determination –

- a. The school must obtain consent for evaluation
- b. Conduct the evaluation
- c. Convene the evaluation team and complete the evaluation team report to determine if the child is eligible for ECSE services.

If the child is determined to be **not eligible** follow procedures for Tested Not Placed (send Change of Status form to the NCKSEC office indicating Tested Not Placed and file the consent for evaluation and evaluation team report).

If the parent refuses to give consent for an evaluation, follow procedures for "Not Evaluated". If a parent refuses to give consent for services follow procedures for "Tested Not Placed".

If the child is determined to be **eligible** and need services then continue to Step 2 and 3

2. Write an IEP for the child

- a. **Must be written prior to 3rd Birthday – No exceptions**
- b. **We will no longer determine that the IFSP is appropriate and choose to use it in place of an IEP. The reason being is that the IFSP does not contain all of the components required for Part B services.**
- c. **MIS Code will be B-Transition from Part C to Part B**

3. Initiate the IEP. - Initiation of the IEP means the child must physically begin receiving services.

a. TWO EXCEPTIONS

- 1. If a child's third birthday occurs during the summer (after the last day of school and before the first day of school the following year) then services can be initiated the first day of school following the child's birthday. KSDE is now advising that this would apply to any non-school day such as weekends and holiday breaks.
 - 2. If Part B does not receive referral soon enough to provide Part C with a timely referral.
- b. If Part B initiates services prior to the third birthday the initiation date will be reflected as the third birthday on the MIS.

- These requirements are not affected if Kid-LINK chooses to continue to offer services to children beyond their third birthday. We do not reflect Part C service on the IEP and are still required to meet all of the above requirements on or before the child's third birthday.

C. General Education Intervention (K-21)

General Procedures

The General Education Intervention (GEI) process is driven at the local district level. The organization and overall process may look considerably different from one district to another as some districts may be implementing a Multi-Tiered System of Support (MTSS) and others may be implementing a School-wide Problem Solving Model. A description of both of these approaches can be found in Appendix B. Regardless of which approach is used to address student academic and behavioral concerns, documentation of appropriate General Education Intervention (GEI) is required prior to any school initiated request for an initial evaluation for special education eligibility.

Parent involvement in the GEI process is highly encouraged. Parents can provide insight into possible causes of the academic or behavioral issues at hand. Parents can also be valued partners in carrying out strategies and interventions. **At a minimum the Student Improvement Team (SIT) must document parent notice of their intent to refer the student for GEI and that the process may lead to a referral for a special education**

evaluation. The initial contact by the school psychologist to gain consent for the special education evaluation will not be the first notice to inform the parent of the concerns.

Prior to initial evaluation for special education services, at a minimum, the building level SIT must document at least two (2) meetings. One meeting must result in the team defining the concern(s) and developing appropriate research-based interventions and strategies to address the concern(s) and at least one follow-up meeting must be convened to assess the effectiveness of the general education interventions. Through progress monitoring/data collection the team must analyze the results and implement new interventions if required. It is the responsibility of the SIT leader to document that the required meetings have occurred.

Once the SIT has determined the GEIs are insufficient to address the student's level of need, they may initiate a referral for an initial evaluation through the local building administrator to the school psychologist assigned to the building.

If a referral is received without all the following required documentation, the incomplete referral for evaluation will be returned by the school psychologist to the SIT through the building administrator.

Forms required:

1. Local General Education (SIT) Recommendation for a Special Education Evaluation with member signatures and documentation of notice to parent of referral to special education
2. The NCKSEC GEI worksheet (Appendix C)
3. Data-based summary of interventions and their outcomes that indicates:
 - a. The general education interventions and strategies were inadequate to address the areas of concern for the child;
 - b. the child was provided appropriate instruction in regular education settings that was delivered by qualified personnel; and
 - c. the child's academic achievement was repeatedly assessed at reasonable intervals which reflected formal assessment of the child's progress during instruction.

Special Education Staff involvement in the GEI process

It is expected that NCKSEC special education personnel will support the GEI process. They may be involved in problem-solving meetings and consult with the SIT regarding research-based academic, functional or behavioral interventions. They may conduct classroom observations (without identifying the student). They may also be involved in the development, collection and analysis of intervention data.

However, if special education personnel are involved in providing direct intervention or instruction to the child during the GEI process, parent consent must be obtained. Also

due to categorical reimbursement requirements, the special education staff member providing the direct intervention/instruction time must keep a log of the dates and duration of all direct intervention to non-identified students. **Under no circumstances will such interventions extend beyond 18 weeks for any one student.**

Forms required:

Local General Education Intervention Documentation Form with Parental Consent allowing direct intervention by special education staff
Log of Direct intervention/instruction (Consult NCKSEC administration for Log Requirements)

D. Initial Evaluation

General Procedure

For most K-21 students, the initial evaluation to determine eligibility for special education services will be initiated through the SIT/GEI referral process. As stated before, the referral and supporting GEI documentation will be forwarded through the building administrator to the building school psychologist. The school psychologist and , as appropriate, other building staff (building administrator, SIT leader, general education teacher) will contact parent(s) to provide prior written notice of the proposed evaluation and to obtain informed consent to conduct the evaluation (*Comp 3-Notice for Evaluation or Reevaluation*). Parents will also be given a copy of the *KSDE parental rights* document. The sixty (60) school-day timeline for completion of the evaluation/placement and requirement for a subsequent meeting to determine eligibility is also explained to the parent at this time.

Once consent for the initial evaluation is gained, the school psychologist creates a new student in WebKIDSS. The school psychologist also notifies each staff member who will be involved in the multi-disciplinary evaluation and provides a timeline for the completion of their assigned assessments. Each multi-disciplinary team member will submit his/her evaluation results by completing the appropriate sections of the IEP PLEPs located within the referred student's WebKIDSS record. This information will automatically port into the *AP-12 Evaluation Team Report*.

Parents are members of the evaluation team and should be afforded the opportunity to provide input regarding the early developmental history of the child, social and family history and/or current functioning levels of academic and adaptive skills at home. The evaluation team should determine how this important information will be collected and reported within the evaluation report.

Evaluation Feedback and Eligibility Determination

Once all evaluation information is collected, the school psychologist will contact the parent to arrange a meeting to review the evaluation data, determine eligibility and need for special education services. The school psychologist will send the *Comp 09-Notice of a Special Education Meeting* to the parent no later than 10 days prior to the proposed meeting date. Parents may waive their right to the 10-day prior notice in order to convene the meeting at an earlier date. Parents must confirm the waiver of the 10-day notice by signing the statement on the *Comp 09-Notice of a Special Education Meeting* or on the IEP document.

During the eligibility determination meeting, results are to be presented to parents in a manner easily understood. Technical terms and educational jargon should be avoided. Parents should also be afforded the opportunity to ask questions of the evaluation team. Each team member (including parent) must sign and indicate agreement or disagreement with the evaluation findings. Any dissenting team member should record their disagreement with the findings on the *AP 12 Evaluation Team Report*. He/she may also draft a minority report to be attached to the *AP 12 Evaluation Team Report*. If the team cannot reach consensus regarding eligibility, the final decision rests with the person who is serving as the LEA representative at the eligibility determination meeting. Once signed by all team members, the parent is to be provided a copy of the *AP 12 Evaluation Team Report*.

Forms Required:

Comp 03 - Notice for Evaluation or Reevaluation

KSDE Parental Rights

Comp 09 – Notice of a Special Education Meeting

AP 12 – Evaluation Team Report

AP 16 - Excusal from Attendance (if applicable)

Tested Not Placed

Procedures to follow when an evaluation is completed and the student will **NOT** begin receiving special education services:

1. Complete the *Notice of Student Status Change (Appendix 15)* and mark the box Tested Not Placed.
2. Send a copy of the completed *Notice of Student Status Change (Appendix 15)* to Tamra; this will notify her to archive the WebKIDSS file created for this student.

3. Place the *Evaluation Team Report (Appendix 12)* and the *Notice of Evaluation or Reevaluation (Comprehensive Form 3)* in the student's General Education Cumulative File.

*Reasons for not initiating special education services could include:

- evaluation team determines the child is not a child with a disability
- evaluation team determines the child is a child with a disability, but does not display a need for special education services
- Parent/Educational Decision Maker refuses to consent to special education services

Timeline for the Completion of the Initial Evaluation
(from the Kansas SPED Process Handbook)

The initial evaluation is to be completed within the 60-school-day timeline required in K.A.R. 91-40-8(f). There is no specified timeline for the initial evaluation itself, but several requirements must all be completed within 60 school days unless an agency can justify the need for a longer period of time or has obtained written parent consent for an extension of time.

Preceding the initiation of this timeline, the school provides the parents with their Parent Rights Notice upon referral, Prior Written Notice for initial evaluation, and Request for Consent.

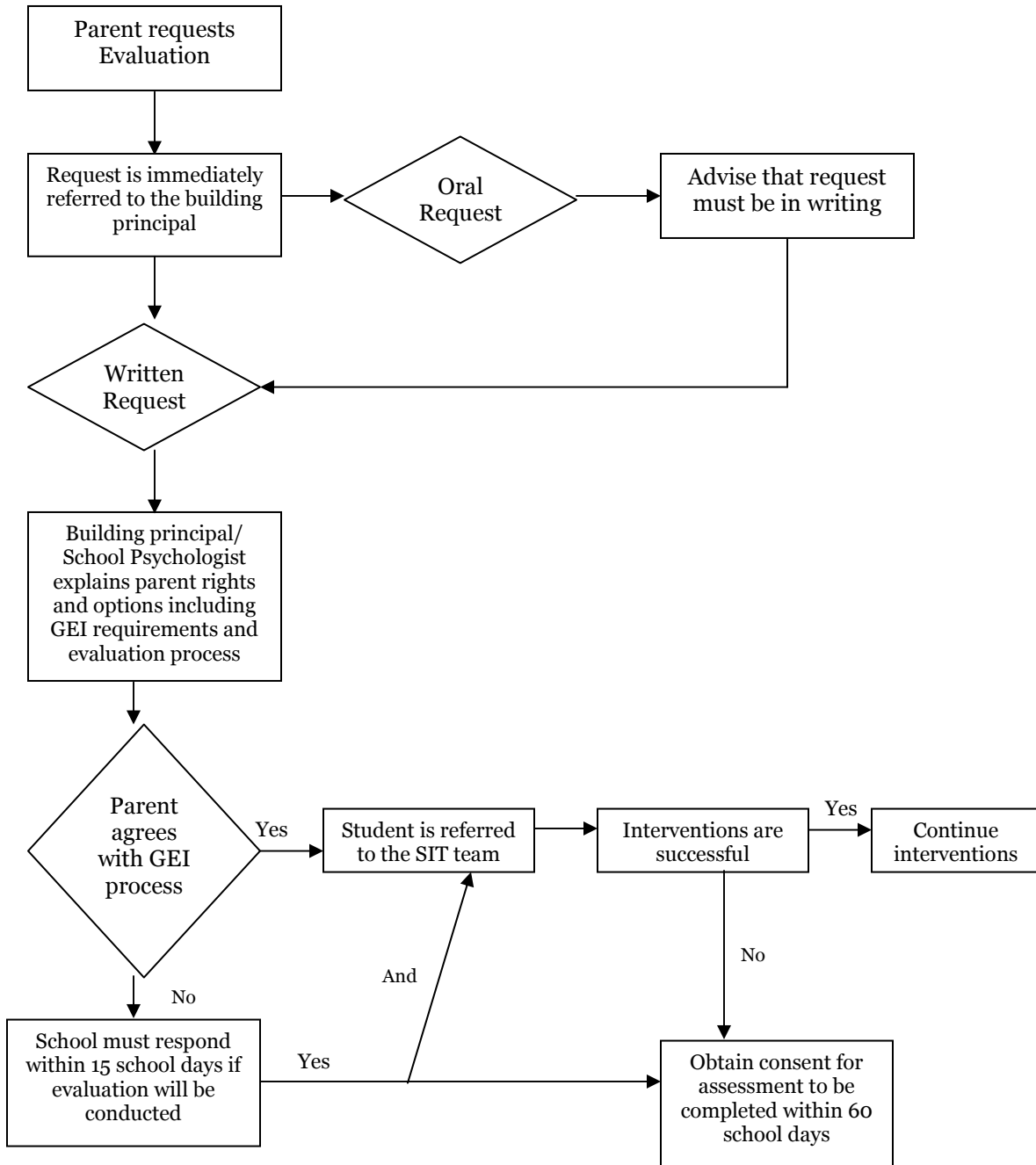
1. The 60-school-day timeline begins when the agency receives written parent consent to conduct the initial evaluation (K.A.R. 91-40-8(f)).
2. The initial evaluation is started within a reasonable time.
3. The initial evaluation is completed, and, on the basis of the evaluation data, the team determines eligibility for special education and related services.
4. The evaluation/eligibility team provides the parents with the Evaluation/Eligibility Report within a reasonable period of time (K.S.A. 72-986(e)(2); 34 C.F.R. 300.306(a)(2); and FERPA 34 C.F.R. 99.10(b)).
5. The school provides the parents with Prior Written Notice for proposed identification (can be combined with notice for initial services).
6. The school provides the parents with the Notice of the IEP meeting at least 10 calendar days before the meeting (K.A.R. 91-40-17(a)(2)). (NOTE: If the team believes that eligibility and IEP development may be discussed at the same meeting, the IEP Meeting Notice must describe all proposed special education decisions to be addressed at the meeting.)
7. The IEP Team meets and develops an IEP within 30 calendar days of determination of eligibility (34 C.F.R. 300.323(c)(1) and K.A.R. 91-40-8(h)).
8. The school provides the parents with Prior Written Notice and request for consent for the initial provision of special education and related services to the child.

9. Services on the IEP are implemented not later than 10 school days after written parent consent for provision of special education services is granted, unless reasonable justification for a delay can be shown (K.A.R. 91-40-16(b)(2)).
10. The 60-school-day timeline ends when the IEP is implemented.

Parental Request for Initial Evaluation

Parents or students (age 18) have the right to request an initial evaluation. In most cases, the school will choose to comply with that request. The building principal or his designee however, should meet with the parent and explain that a building level general education intervention process that precedes an initial evaluation is available to assist the team in determining the specific concerns and needs of their child. If parents do not want to wait for the GEI process to conclude, they should be asked to provide their request for evaluation in writing with date of request and signature. The NCKSEC will respond to parent request within a timely manner (**15 school days from the receipt of the request**). Parents will normally make their requests through the school, therefore it is imperative that there is effective communication regarding requests between the building administrator and the school psychologist or speech pathologist. The school psychologist or speech therapist will meet with the parents to receive consent for the evaluation (*Comp 03 - Notice for Evaluation or Reevaluation*). The school is encouraged to collect GEI data and document interventions during the evaluation process. Outcomes of GEI's implemented during the evaluation process must be documented on the GEI documentation form and the Eligibility report.

Parent request for Evaluation Flow Chart



Parental Refusal of Evaluation

Should parents refuse permission for evaluation, they must be asked to sign the *Comp 03 - Notice for Evaluation or Reevaluation*, indicating they do not give consent for the proposed evaluation. If they choose not to sign indication of their refusal, this must be noted on the form with date, and signed by the building school psychologist. It is the building school psychologist's responsibility to attempt to obtain the parents' signature indicating refusal and to notify the building principal and SIT of the refusal.

Parental Refusal of Initial Provision of Services

Parent consent is required before any special education or related services can be initiated. Should the school find the student eligible for services and the parents either agree or disagree with the team's decision but refuse to consent to services, the team should do all within their power to convince the parents of the need and benefit of services. If parents continue to refuse to give consent, the school representative will provide the parents with another copy of the parental rights and will document refusal by having them sign the *Comp 12 – Notice and Request for Consent*. The NCKSEC cannot use mediation or due process to seek initial provision of services for the student.

Parental Request for an Independent Evaluation

If the parent disagrees with the school's evaluation results and wishes to request an independent evaluation, they should be offered another copy of the KSDE Parental Rights document and asked to submit a written request for an independent evaluation to the Director of Special Education. The school psychologist or speech therapist (Speech Only) will then notify the Director of Special Education. The school psychologist or speech therapist will provide the parents with the contact information of the NCKSEC.

Requests for independent evaluations must be in response to a disagreement with the school's evaluation. Parents do not have the right to request an independent evaluation in lieu of a school evaluation.

E. Triennial Reevaluation

A reevaluation must be conducted at least every three years. As with the initial evaluation, the two-fold purpose of the reevaluation is to determine if the child continues to be a student with an exceptionality and in need of special education and related services.

If the child continues to remain eligible, the reevaluation should also provide sufficient information regarding:

1. the educational needs of the child;
2. the present levels of academic achievement and functional performance; and
3. whether any additions or modifications to the special education and related services are needed to enable the child to participate, as appropriate in the general education curriculum and meet his/her measurable annual goals.

The three year reevaluation does not require new assessment data be collected if the team members feel they can make the required determination with existing data. The first step in the reevaluation process is for the IEP team, including the parent, to review existing data to determine what, if any, additional data is needed. This review can be done during a planning meeting of the team or by individual members of the team without a meeting being held. Parent must agree with the team decision not to conduct new assessment by checking the appropriate boxes and signing the *Comp 03 - Notice for Evaluation or Reevaluation*.

Parent consent is required to conduct a reevaluation. However, parent consent is not required if the parent does not respond to the reasonable attempts to obtain consent. The school psychologist or SLP must document his/her attempts to obtain consent. Reasonable attempts are defined as at least 2 attempts to make contact by at least 2 of the following methods:

- Telephone Calls
- Visits to the home or work place
- Written Correspondence

Non-respondent parents will be notified that the reevaluation is being conducted by sending the *Comp 03- Notice for Evaluation or Reevaluation*. Written documentation of attempts to obtain consent for the reevaluation must include detailed record of the date, time, and the results of all contacts. This written documentation will be submitted with the unsigned copy of the *Comp 03 – Notice for Evaluation or Reevaluation*.

Efforts should be made to align the annual IEP and the 3-year reevaluation to ensure the IEP is developed with the most up-to-date academic and functional performance data possible in order to develop appropriate goals and objectives. The school psychologist is responsible for entering the reevaluation date on WebKIDSS, insuring all evaluation team members complete their respective portions of the *AP 12 – Evaluation Team Report*, and coordinating for the evaluation feedback/ IEP review meeting. For IEPs in which speech/language services are the primary special education service and which may or may not include other related services, the SLP will coordinate all aspects of the re-evaluation process.

Reevaluation by Reviewing Existing Data

In preparing for an upcoming reevaluation date, the IEP team may decide that a decision regarding continued eligibility can be made by reviewing existing data. If additional data is not needed, the notice that no additional data is needed is checked on the *Comp-03 -Notice for Evaluation or Reevaluation*. Parents will sign the Notice for Evaluation/Reevaluation or see above section for procedure for non-respondent parents. The *AP 12 – Evaluation Team Report* is then completed with information from current data sources.

A continued eligibility meeting is scheduled on or before the reevaluation due date in order to review existing data and make an eligibility determination. The continued eligibility meeting can be conducted in conjunction with the annual IEP review or held separately. Parents are provided a copy of the *AP-12 Evaluation Team Report*. It is the primary service provider or the building school psychologist's responsibility to notify team members and parents about the reevaluation, set the meeting date, send the *Comp 09 –Notification of Special Education Meeting* and ensure the *AP 12 – Evaluation Team Report* is completed in a timely manner . It is each service provider's responsibility to enter their assessment information in the appropriate IEP PLEPs sections (which ports directly into the *AP-12 Evaluation Team Report* in WebKIDSS). Each service provider is to enter this information by the timelines set by the school psychologist in order to ensure the *AP-12 Evaluation Team Report* is ready for the meeting date.

Forms required:

Comp 03 - Notice for Evaluation or Reevaluation
Parent Rights
Comp 09 – Notification of Special Education Meeting
AP 12 – Evaluation Team Report

Reevaluation Not Needed

In most cases IEP teams will determine continued eligibility and need for special education services by either reviewing existing data or obtaining new data. However, in certain situations, it may be appropriate to waive the requirement to conduct a reevaluation. If all members of the IEP team agree that a reevaluation is not needed, the school psychologist or SLP will complete *AP 18 – Reevaluation Not Needed*. Both the parent and the school representative (principal or designee) will sign the form.

Forms required:

AP 18 –Reevaluation Not Needed
Parent Rights
Comp 09 – Notification of Special Education Meeting

Developmental Delay Reevaluation

If a child age 3-9 was determined eligible as a child with Developmental Delay, a reevaluation must be conducted before the child turns age 10 in order to determine whether the child continues to be a child with exceptionality. This reevaluation may take place anytime prior to the child's 10th birthday.

2. The IEP Process

A. Initial IEP and Placement

General Procedure

Should the evaluation team decide the student is eligible and in need of special education services; an initial IEP meeting is scheduled. The IEP team may choose to combine the initial evaluation feedback meeting with the initial IEP meeting. If the IEP team chooses to separate the two in order to give the parent(s) opportunity to hear the evaluation results and then consider the proposed services, the team must ensure that the IEP is developed within 30 calendar days of the eligibility determination and remember that the 60 school-day timeline does not conclude until the initial IEP is implemented.

Parent must be given a *Comp 09 – Notification of a Special Education Meeting* at least 10 days prior to the IEP meeting. Attempts should be made to contact the parents to schedule a mutually convenient time to meet. It is the responsibility of the building school psychologist or SLP (Speech Only) to contact parents to schedule the initial IEP, to send the *Comp 09* and to notify all other IEP team members of the meeting.

It is the responsibility of the primary service provider to ensure all sections of the IEP are completed using data and information collected during the evaluation (*AP 12 – Evaluation Team Report*). If multiple services (related services) are to be provided the primary service provider will coordinate to ensure the other service providers complete their respective sections of the IEP. It is the responsibility of each service provider to develop measurable goals and objectives based on data collected during the evaluation.

A Draft IEP should be developed for the IEP meeting. At the conclusion of the IEP meeting, parents should be provided with a copy of the IEP, signed by all members present with any changes made to the draft along with any other paperwork they request (excluding copyrighted protocols). At the conclusion of the IEP, it is also the building school psychologist/ SLP's responsibility to complete the *Consent for Placement*

and submit all required forms and reports to the NCKSEC MIS Clerk's office within 5 school days of the IEP meeting.

Forms Required:

Comp 09 – Notification of a Special Education Meeting

Individual Education Program (IEP)

AP 12 – Notice and Request for Consent

Other documents, if applicable (Behavior Plan, Health Care Plan, Medicaid Consent Form -if receiving OT, PT, SLP)

AP 16 – Excusal from Attendance at IEP Meeting (if applicable)

Conducting an Initial IEP Meeting Without the Parent

Although it is not a desirable option, an initial IEP meeting may be conducted without the parent in attendance if all proper steps have been taken to ensure parent participation. It is the responsibility of the school psychologist or SLP to make contact with the parents to arrange for a mutually agreed upon time or to convince them that they should attend. To proceed with an IEP without parent participation, the IEP team must have written documentation of at least two attempts to contact and make arrangements with the parent using two different methods:

- Telephone Calls
- Home visits or visits to parent's place of employment
- Written correspondence

Written documentation of attempts must include detailed record of the date, time, and the results of all contacts. This written documentation will be submitted with the IEP documentation.

No Initial Placement without Parent Consent

Although the initial IEP may be written without the parent in attendance, **no initial placement can be made without parent consent**. It is the building school psychologist or SLP's responsibility to attempt to obtain parent consent for placement if the parent does not attend the initial IEP meeting. No services can be provided to the student until the *AP 12* form is signed by the parent. It is the building school psychologist or SLP's responsibility to inform the IEP team of the results of attempts to obtain placement consent.

B. Annual IEP Review

Each student receiving special education services must have their IEP reviewed and revised annually. The yearly review must occur on or before the anniversary date of the current IEP. It is the responsibility of the primary service provider to develop a Draft IEP for the IEP meeting and to write additions, corrections, and parent comments on this Draft IEP during the IEP meeting. At the conclusion of the IEP meeting the parents must be given a copy of the Draft with agreed upon corrections/additions “penciled” in **or** a final IEP printed at the conclusion of the meeting. If changes are proposed during the IEP review meeting that constitutes a material or substantial change in placement (see page 1-10 of the KS SPED Process Handbook) or if the IEP team proposes to add or dismiss the student from a service, the IEP team will secure consent for such changes by having the parent sign a *Comp 12 Notice and Request for Consent*.

It is the responsibility of the primary service provider to schedule the annual review meeting with the parents and staff at least 10 days prior to the proposed meeting date, send the *Comp 09 – Notification of a Special Education Meeting* (including the student at age 14 and outside agencies as appropriate), write the IEP, and obtain parent signatures on other applicable forms. It is the responsibility of all other service providers involved to:

- attend the IEP review meeting and/or
- input their respected information on WebKIDSS regarding progress towards the current goals and benchmarks/objectives,
- update the PLAAFP statements in their area of service,
- develop proposed goals and benchmarks/objectives for the new IEP, and
- make any additions/corrections to the anticipated services area for services for the coming year.

Forms required:

Comp 09- Notification of Special Education Meeting

Comp 12 – Notice and Request for Consent (if applicable)

Parent’s Rights (must be offered at least annually)

IEP with Signatures

Other documents, if applicable (Medicaid Form, Behavior Plan, Health Care Plan)

AP 16 – Excusal from Attendance at IEP meeting (if applicable)

Conducting an IEP Review without the Parent

An annual IEP review meeting may be conducted without the parent in attendance if all proper steps have been taken to ensure parent participation. It is the responsibility of the primary service provider to make contact with the parents to arrange for a mutually agreed upon time or to convince them that they should attend. To proceed with an annual IEP review without parent participation, the IEP team must have written

documentation of at least two attempts to contact and make arrangements with the parent using two different methods:

- Telephone Calls
- Home visits or visits to parent's place of employment
- Written correspondence

Written documentation of attempts must include detailed record of the date, time, and the results of all contacts. This written documentation will be submitted with the IEP documentation.

Special Education Action without Parent Consent

Parent consent is required for special education action and to make a material change in services or substantial change in placement. However if parents do not respond to reasonable attempts to obtain consent the IEP team can make the needed changes without securing consent. The NCKSEC local policy on this will be more stringent than the KSDE Special Education Process Handbook which requires 2 contact attempts by 2 different methods listed in the previous section. The NCKSEC will require documentation of at least 3 attempts using all 3 of the methods. Exceptions to this requirement will be approved by the Director of Special Education. Examples of reasonable exceptions would include parents without phone service or parents of children in foster care which reside far enough away to make a home visit impractical. If action is taken without consent being obtained, parent(s) will be given prior written notice of the proposed changes. The primary service provider or school psychologist will send the parent(s) the Comp 12-Notice and Request for Consent and will continue to follow up regarding the required special education action, changes to services, or placement. Parental consent should be obtained as soon as the parent responds and is available.

C. Transfer (Move In) Students

There has been an increase in the frequency of a "gap in special education services" occurring for students transferring into NCKSEC districts. This gap can be the result of many different factors, however it poses a serious problem for both student and the district. In an effort to help remedy this issue we are providing what we consider to be best practice for attempting to determine the needs of all new students to your building:

1. Parent is interviewed when enrolling their child and asked directly if the child was:
 - a. Struggling in school
 - b. Receiving any accommodations, modifications or additional help

- c. Been evaluated to determine eligibility for Special Education
- d. Is or has ever had an Individualized Education Plan or Receives or has received Special Education services.

If the answer to any of these is yes ask the parent who would be the best person to contact to gather information about the child's educational programming.

2. School Counselor and School Psychologist review any records that are received when a student enrolls within the building. If there is any indication of the student struggling or receiving any additional supports then the special education staff member places a phone call to the previous school to determine if the child received special education services.
3. If it is determined that the child is receiving special education services the previous school should be contacted immediately to request they fax or email the most recent IEP, Evaluation Team Report, and Consent for Placement and Services immediately (additional records may be mailed). **Schools are not required to obtain written permission from parents to release these records to another schools as they have an "educational need to know" the information.**
4. If it is known that the child was receiving special education services but no records have been received begin providing services immediately. As soon as possible meet with the legal educational decision maker/parent to:
 - a. create interim IEP
 - b. obtain signed consent for placement and services as outlined in the interim IEP.
 - c. obtain consent to complete an evaluation

In-State Transfers:

The NCKSEC will honor transfer IEPs from local educational agencies within the state of Kansas and will continue to provide FAPE. However, if at anytime after the transfer, the IEP team feels the student does not continue to demonstrate a need for special education services, a re-evaluation can be initiated to determine whether the student remains eligible and in need of special education services.

Out-of-State Transfers:

In the case of students who transfer into the NCKSEC and who had an IEP that was in effect in that other state, the IEP team will review all evaluation information to determine if the student meets eligibility criteria according to state guidelines and local indicators. If the review of records suggests the student has a disability according to state guidelines and local indicators the IEP will be accepted. If the review of records suggests that the student may not be a student with a disability according to state guidelines and local indicators, the NCKSEC will continue to provide FAPE to the student,

including services comparable to those described in the out-of-state IEP until such time as an evaluation is completed to determine eligibility.

The NCKSEC will provide timely service to all transfer students!

D. Amending a Current IEP

Amending is when it becomes necessary to modify a current IEP prior to the yearly review and rewrite. Amending include increasing or decreasing an existing service, adding goals and benchmarks/objectives, and adding or deleting a service.

Changes to an Existing Service and/or Adding Goals and Benchmarks/Objective

If changes are required to the IEP between annual IEP reviews and the parent and the primary service provider agree, changes can be made by amending the IEP rather than by rewriting the entire IEP. The parent and primary service provider (school representative) agree to meet and the Comp 09 – Notification of a Special Education Meeting will be sent 10 days prior to meeting unless waived by the parent(s). **The primary service provider will also provide notice of the proposed changes to all members of the IEP team.**

It is the responsibility of the primary service provider to contact the parent, provide parent and other IEP members with Prior Written Notice of any change in the IEP and complete the IEP Amendment Form. The parent will be provided with a written copy of the IEP Amendment. Any updated PLAAFP statements and goals must be measurable and conform to the description in the KS SPED Process Handbook. Specific changes in service times and/or location must be noted. Additional goals and/or benchmarks/objectives and changes in time/location must also be added to the WebKIDSS program. It is the responsibility of the primary service provider to forward the amendment paperwork to the School Psychologist office to be forwarded to be processed and forwarded to the MIS clerk at the NCKSEC office.

Prior Written Notice is required for all IEP amendments, however parent consent is required only if the proposed changes constitute a substantial change in placement or a material change in services (See Appendix D for examples)

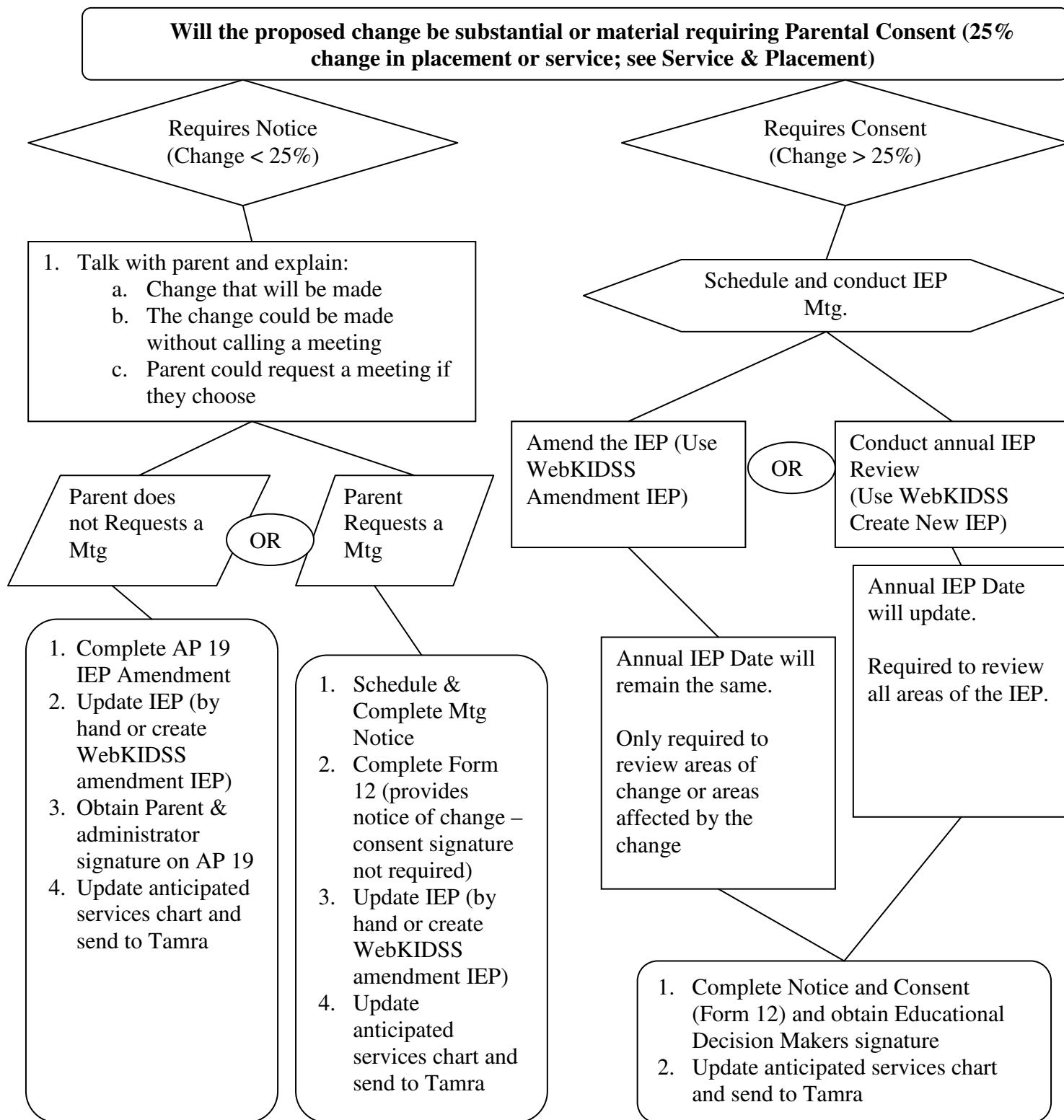
Forms Required:

Comp 09 –Notification of Special Education Meeting

Comp 12 – Notice and Request for Consent

AP 19 – IEP Amendment

Amending an IEP



E. Adding/Dismissing a Related Service

Adding or deleting a related service means adding or deleting a related service provider to the student's IEP. Adding or dismissing a related service may be done either during the annual IEP review or by amending the current IEP between IEP reviews.

Adding a Related Service:

The IEP team, with or without a meeting, must recommend an evaluation to determine eligibility and the need for the related service. In collaboration, the school psychologist and/or primary service provider:

- secures permission to evaluate with the *Comp 03 - Notice for Evaluation or Reevaluation*,
- contacts the related service provider for which the eligibility is in question,
- schedules the eligibility feedback meeting and determines who will be present at the meeting, and
- sends the *Comp 9 – Notification of Special Education Meeting* to the parent and required staff members.

The related service provider:

- completes an *AP 12 – Evaluation Team Report* for the related service area being considered for eligibility,
- prepares updated PLAAPF statements with baseline data, and
- prepares a measurable annual goal for the related service.

If the related service is to be added during an annual IEP review, the IEP team will follow the procedures of the annual IEP review and secure consent for adding the related service with the *Comp 12 –Notice and Request for Consent*. All required IEP members should be involved unless otherwise excused.

If the related service is to be added between annual IEP reviews, the IEP members present will consist of, at a minimum, the primary service provider, the related service provider for the related service to be added, and the parent. If possible, it is highly recommended that the principal and general education teacher be involved in the amendment meeting too. If they cannot attend they must be informed of the added related service need and how it affects the student's progress in the general curriculum. They must also be informed of scheduled times that the student will be pulled to participate in the related service.

Parent consent is required to add a new service. The primary service provider must ensure that informed parental consent is obtained with the *Comp 12 – Notice and Request for Consent*. The related service can be added if the school can demonstrate that it made reasonable attempts to obtain parent consent and the student's parent failed to

respond. As defined in earlier sections, reasonable attempts are defined as at least three attempts using all three methods of written correspondence, telephone contact, and home/place of business visits.

Parents are provided a copy of all the paperwork. It is the responsibility of the related service provider to enter the amended information in WebKIDSS. Any additions to the WebKIDSS IEP must be completed within 3 days and all paperwork must be received by the NCKSEC office, thru the school psychologist office, within 10 days of the IEP Amendment meeting.

Forms required:

Comp 03 - Notice for Evaluation or Reevaluation

Comp 9 – Notification of Special Education Meeting

Parent Rights

Comp 12 – Notice and Request for Consent

AP 19 – IEP Amendment (adding related service, PLAAFP, and goals to the current IEP)

AP 12 – Evaluation Team Report

Medicaid/HIPPA Consent forms if applicable

Dismissing from a Related Service:

Due to progress made within a particular related service, it may be necessary to dismiss a student from the related service and continue all other special education services. As with an addition of a related service, dismissals may be done either at an annual IEP review or between IEP reviews as an amendment to the IEP.

In order to dismiss a student from a related service, the related service provider must possess progress information/evidence that supports the decision that the student is ready to be dismissed from the related service. **A re-evaluation is not required if sufficient progress data is present.**

Again parent consent is required to dismiss from a service. The primary service provider must ensure that informed parental consent is obtained with the *Comp 12 – Notice and Request for Consent*. The student can be dismissed from a service without parental consent if the school can demonstrate that it made reasonable attempts to obtain parent consent and the student's parent failed to respond. As defined in earlier sections, a reasonable attempt to gain informed consent is defined as at least three attempts using three methods of contact (written, telephone, visit).

If the dismissal is to be recommended during the annual IEP review the team will follow the annual IEP review procedures. If the dismissal is recommend between IEP reviews the team will follow the IEP amendment procedures.

Forms required:

Comp 9 – Notification of Special Education Meeting

Parent Rights

Comp 12 – Notice and Request for Consent

AP 19 – IEP Amendment (dismissing related service between IEP reviews)

IEP progress report / therapy logs/data to support dismissal

F. Exiting a Student from Special Education Services

Most students are exited from all special education services under four circumstances. First is when the IEP team determines that the student is no longer a child with an exceptionality or no longer needs services in order to make progress in the general education curriculum. Second is when the student graduates or reaches age of 21. Third is when the parent revokes consent for special education services for their child and lastly students are exited from all special education services when they choose to drop out of school.

Exiting All Services through IEP Team Recommendation

If an IEP team member (including parent) suspects that a student no longer has an exceptionality or no longer needs special education services, that team member should make a request to the building school psychologist/primary provider that an IEP team meeting be held to discuss discontinuing special education services. A reevaluation is then conducted to determine if the student continues to be a student with exceptionality and/or needs special education services. The reevaluation procedures are followed and appropriate forms completed. If the results of the reevaluation indicate the student is no longer a child with exceptionality, or is no longer in need of special education services, this is noted on the *AP-12 Evaluation Team Report* and signed by all IEP team members. Parental consent is also required as the exit of services constitutes a change in placement. Parents are provided with copies of all forms. Forward all paperwork to the NCKSEC Office within 10 days of the meeting.

Forms required:

All forms required for a Triennial Reevaluation minus an IEP

Exiting Services by Graduation and at Age 21

Exiting a student through graduation does not require a reevaluation or an IEP review. However, before the student completes the last semester of high school the district must provide the student (if over age 18) and his/her parents with Prior Written Notice of the discontinuation of services at the end of the school year. The Prior Written Notice must state

that the student will no longer be entitled to receive special education services after graduation. Parental consent is not required when a child graduates with a regular diploma or turns 21.

A Summary of Performance (SOP) is required and must be completed and provided to the student by the end of the final year of a student's education. The timing of completion of the SOP may vary depending on the student's postsecondary goals or when applying for services from state agencies such as vocational rehabilitation.

It is the responsibility of the primary service provider to provide the parents and student copies of the Prior Written Notice and Summary of Performance paperwork and forward the original paperwork to the NCKSEC Office.

Forms required:

Comp 12 – Notice and Request for Consent
Summary of Performance

Parent Request for Revocation of Special Education Services

1. Parent revokes consent for all special education and related services:

Parent consent for their child to receive special education services is voluntary, and may be revoked by the parents at any time. If a parent proposes to revoke consent for existing services, the IEP team should first schedule to meet with the parent to attempt to understand and work through the reasons for the revocation. If the parent cannot be convinced to continue the services, the IEP team must honor the parent's revocation of consent and cease provision of the services.

The building school psychologist will provide the parents with prior written notice in accordance with state law before ceasing the provision of the special education and related service. Within the prior written notice the parent should be informed that, once they revoke consent for all services, any subsequent request for the student to be re-enrolled in special education must require the school to conduct an initial evaluation of the student to determine whether he/she qualifies for special education before re-enrolling the child in special education. Also a new IEP must be developed even if the previous IEP before the revocation of consent remains current. These procedures should be explained to parents in full disclosure of the process to return the student to the services at a later date. **Parent must revoke consent for all services on the *Comp 12 – Notice and Request for Consent*.**

It is the building school psychologist's responsibility to schedule the IEP meeting, send the *Comp 9 – Notification of Special Education Meeting*, complete and secure the parents signature on the *Comp 12 – Notice and Request for Consent*, and forward all paperwork to the NCKSEC Office. The primary service provider must complete the WebKIDSS paperwork and enter an "1" and the exit date in WebKIDSS.

Forms Required:

Comp 9 – Notification of Special Education Meeting

Comp 12 – Notice and Request for Consent

Parental Rights

2. Parent revokes consent for the continued provision of a particular special education or related service:

If a parent revokes consent for a particular special education service, related service, supplemental aid or service, or placement, the school must honor such revocation and proceed with the procedures in the previous section. However, in the case in which the parent revokes consent for some but not all services, the school may use the procedures of mediation or due process in order to obtain an agreement or a ruling that the particular special education, related service, supplemental aid and service, and/or placement may be provided to the student.

In either circumstance of revocation of parental consent, the school will not be considered to be in violation of the requirement to make FAPE available to the student because the action was taken by the parent, not the school.

Student Drops Out of School

KSA 72-977 requires compulsory school attendance of exceptional children in order to receive their needed special education and related services. Therefore anytime a parent or student (age 16-21) requests to drop out from school he/she must first revoke consent for all special education services by following the above procedure. By revoking consent first and becoming a regular education student, this allows the student to drop out of school under the regular education exceptions to compulsory attendance.

Although KSA 72-977 does not apply to gifted students, it will be the policy of the NCKSEC to require revocation of consent for all special education services before a gifted student is allowed to drop out from school.

Once the student has dropped from school, it is the primary service provider's responsibility to update the WebKIDSS by entering a "W" and the exit date in WebKIDSS. A change of status report will be forwarded to the NCKSEC office.

Forms Required:

Comp 9 – Notification of Special Education Meeting
Comp 12 – Notice and Request for Consent
Parental Rights

3. Other Issues

A. Work Study Services Added to the IEP

Work/Study and On the Job Training (OJT) services must be added to a student's IEP if these services are not part of the general education curriculum.

B. Who is the Primary Service Provider?

The primary exceptionality is usually determined by the evaluation/IEP team during an evaluation, reevaluation, or IEP meeting. The primary service provider should be the provider for the exceptionality/service that most interferes with the student's ability to participate and make progress in the general education curriculum. The teacher providing services for that exceptionality in the student's attendance school is the primary service provider. For students identified as only eligible for Speech/Language, OT or PT services, the therapist is the primary service provider following the initial evaluation. For students who are only eligible for gifted services, the gifted facilitator is the primary service provider following the initial evaluation.

C. When am I Required to Provide the Parental Rights Document?

To ensure that parents have knowledge about their rights under IDEA, schools are required to provide a copy of the Parent Rights in Special Education Notice to the parents:

- At least one time in a school year; and
- Upon a referral or parent request for initial evaluation;
- First formal complaint or due process complaint filed in a school year;
- Upon disciplinary removal from school that constitutes a change in placement: and
- Upon any parent request for a copy.

D. Community Based Services

The general education classroom or special education classroom should be the first choice for developing skills or meeting needs identified in the PLAAFPs . However for some student in need of a more functional educational program, special education may be provided in the community in order to make direct application or generalize a skill that has been learned or because the school environment does not physically accommodate the needed instruction (e.g. mobility and travel training or work study). A reason for removing the student from the general campus environment must be documented in the IEP.

The need for a functional curriculum must be identified in the PLAAFP section of the student's IEP. This may be a need related to the child's present level of performance in the general education curriculum or a unique need arising from the child's handicapping condition (e.g. mobility and travel needs, communication needs, social skill needs, work/study). PLAAFPs must describe current performance in terms that are specific, measurable, and objective. Goals and objectives must be developed to address the need and must use the PLAAFP as baseline. Community services must be included on the anticipated service page of the IEP. Special Transportation must be included as a service on the IEP if the school transports the student to the site of the Community service.

E. Confidentiality

It is the policy of the NCKSEC that the confidentiality of personally identifiable data relating to children with exceptionalities and their families is protected during collection, storage, disclosure, and destruction of student confidential information. The NCKSEC will follow all federal regulations and state standards related to the confidentiality of student records.

Confidentiality is always a matter of grave concern when addressing student information.

1. All student records are to be in a locked filing cabinet.
2. A notice of Confidentiality is to be posted on the locked filing cabinet.
3. All student records are to have an access sheet inside the front cover. Please be sure this sheet is in all student records.
4. Service providers should only have copies of student IEPs they CURRENTLY serve.
5. Historical records for any student who no longer qualifies for services or who has moved should be stored in the principal file and, as appropriate, reviewed and destroyed no sooner than 5 years after exiting from special education.

Students being served by the NCKSEC have a right to expect that information about them will be kept confidential by all school personnel including contracted employees. Additionally, the U.S. Congress has addressed the privacy-related concerns of educators, parents, and students by enacting the Family Educational Rights and Privacy Act (known more commonly as "FERPA"). Among other provisions, FERPA allows the government to withdraw federal funds from any

educational institution, including the NCKSEC, which disseminates a student's education records to non-educational agencies without his or her parent's consent.

F. WebKIDSS Parent Information Clarification

Within WebKIDSS the Parent information should be completed as follows:

- Only enter the Legal Educational Decision Maker(s) as Parent 1 or Parent 2 on the WebKIDSS.
- If Parents are together enter both parents as parent 1 ex. Jim and Joan Smith.
- If parents are not together but neither has had parental rights severed by the courts enter them separately as Parent 1 and Parent 2.
- If parental rights have been severed for both parents then the appointed educational advocate should be listed as Parent 1.
- Parent 3 may be used for contact information of other involved parties such as Foster Parent, Case manager, Grandparent, etc.
- Foster Parents, Case manager, Grandparents, etc, unless appointed by the courts or by the state as educational advocate have no educational decision making rights and should not be listed as either parent 1 or parent 2. They may however be involved in the educational decision making process as an individual who has knowledge of the student.

G. MIS Data Reporting

It is very important that the Management Information System (MIS) data that we report to the KSDE is accurate. We rely on you to keep this data accurate. The following is excerpted from the KSDE Data Dictionary. This provides the guidelines used for reporting special education data to the Kansas State Department of Education by Local Education Agencies. The Data Dictionary defines the procedures for data reporting to insure accurate data is maintained at the state level and reported accurately to the Office of Special Education Programs at the federal level.

Important Points to remember to insure data is correct:

1. When meeting with parents and determining Frequency, Duration, and Location of services we should report to the parent in such a way that they have an understanding of what the students day looks like.
 - Frequency – How often will the services be provided (ex. 1hr twice a week)
 - Duration – period in which the services occur (ex. Aug 14th thru May 23rd)
 - Location – where the service will be provided (ex. Resource room)

Beginning with the first day of school this year and continuing throughout the school year Johnny will leave the classroom on Tuesday and Thursday during the

spelling review time and go to the speech room. He will work with the SLP for 20 minutes and return to class as they are getting ready for PE.

Starting second semester and continuing throughout the remainder of the school year Jenny will go to 2nd hour 8th grade Math with her class. She will stay for the instruction portion of class, the first 20 minutes of class. When the instruction is complete she will leave the Math classroom to go to the resource room for the remainder of the class to review the instruction and receive help completing the review items.

We are also required to accurately report this data to the KSDE. When completing the IEP anticipated services chart the Frequency, Duration, Location are then translated into numeric form. This information is then reported to the KSDE via the MIS.

SL	G	20mins	2days	36 wks
SE	G	25mins	5days	18 wks

2. Student rosters with your caseload are sent to you quarterly. Please use this to check that our MIS data is accurate. If you find discrepancies (students that show up on the list that shouldn't or students that do not show up that should) please contact the NCKSEC immediately.
3. Anytime a student status changes (students exits sped, transfers into your school, transfers out of your school, etc) complete the Change in Student Status form and submit to the NCKSEC through the school psychologist office.

H. Collaboration in the Development of IEP Programs and Measurable Annual Goals

The NCKSEC believes it is best practice for the current and future primary service provider to collaborate in the development of IEPs held during the spring of a transition year.

If a student will be transitioning from the early childhood setting into the elementary setting or between any building and/or grade level which results in a change of the primary service provider, then the future primary service provider should be actively involved in the development of the student's program and the goals during the IEP development (initial or annual review).

NCKSEC staff members are asked to use professional judgment in determining when to involve the future primary service provider. It would be highly suggested that IEP goals developed in March, April or May include the input of the future primary service provider as that individual will be responsible for the majority of the service time until the IEP is scheduled to be reviewed.

I. NCKSEC Medicaid Compliance Procedures

Health Care Provider - Physician, Advanced Registered Nurse Practitioner, Physician's Assistant, KAN Be Healthy Registered Nurse.

Parent – Legal Educational Decision Maker

Therapist – Registered Therapist or Certified Assistant

Billable Services - Audiology, Nursing, and Occupational, Physical and Speech and Language Therapies

Requirements – The NCKSEC can bill the Kansas Medical Assistance Program (KMAP) for school based therapy services provided as part of the IEP for children that are Medicaid eligible.

Requirements to bill KMAP are:

1. NCKSEC must obtain annually:
 - a. Consent from the parent to:
 - i. Exchange information with the health care provider.
 - ii. Exchange information with the KMAP.
 - b. Health care provider's script indicating the school based therapy services are medically necessary.
2. Therapist must complete Medicaid documentation logs for all services provided by a registered therapist or certified assistant for all Medicaid eligible students and submit the logs monthly to the NCKSEC.

The NCKSEC will bill KMAP based on the Medicaid Documentation Logs. The NCKSEC will be audited to insure that all requirements have been met for all billed services.

Procedures for obtaining parent consent.

1. Students already receiving school based therapy services at the end of the school year.

In July, the NCKSEC office will send, to the School Psychologist office, the request for consent to exchange information with both the health care provider and KMAP for the following school year for all eligible students within each district. The school psychologist will ensure delivery of the consent forms to each building prior to enrollment and will coordinate a process at each building to secure signatures from parents of eligible students who attend enrollment.

After enrollment, the School Psychologist will return all signed and unsigned consent forms to the NCKSEC office. The NCKSEC office will then mail the unsigned consent forms to all parents who did not provide consent during enrollment. After a

reasonable period of time to allow the parents to respond, the NCKSEC office will send a roster of eligible students for whom consent is still needed to the School Psychologist office. The School Psychologist office will contact each parent to obtain the consent and return the consent to the NCKSEC (notify the NCKSEC of parents that refuse consent).

2. Students that begin receiving school based therapy services during the school year (including initial evaluations, adding services, transfers, etc.)

Prior to meeting with parents to begin services the therapist will contact the NCKSEC to determine if the child in question is Medicaid eligible.

If the child is Medicaid eligible the therapist will obtain the required parental consent and return the consent to the NCKSEC (notify the NCKSEC of parents that refuse consent).

Procedures for obtaining health care provider's script.

- Upon receiving parental consent the NCKSEC will contact the health care provider listed (if no health care provider is listed by the parent the NCKSEC will contact a qualified health care provider selected by the NCKSEC) to obtain a script for services. If the health care provider fails to return the script in a timely manner the therapist will be notified and asked to contact the health care provider to determine the reason for the delay.
 - If the health care provider requests information regarding the services the provider will contact the NCKSEC.
 - The request will be forwarded to the therapist and the therapist will contact the health care provider to provide the necessary information.

Procedures for completing the Medicaid Documentation Log

- The therapist will complete Medicaid documentation logs for all Medicaid eligible students.
 - The NCKSEC will provide the Therapist with a list of all current Medicaid eligible students receiving services at the beginning of each school year.
 - Throughout the school year, when a referral is made to the therapist, the therapist will contact the NCKSEC to determine if the child in question is Medicaid eligible.
- The Therapist will submit all Medicaid documentation logs monthly to the NCKSEC.

Medicaid has been a significant funding source for the NCKSEC. It is crucial that all KMAP requirements be met so that the NCKSEC can continue to count on Medicaid as a funding source. If the NCKSEC is unable to meet the requirements and fails to collect all possible Medicaid funding the NCKSEC budget will be significantly impacted.