

Kansas Interagency Coordinating Council on Early Childhood Developmental Services

Meeting Minutes

Virtual

March 24, 2023

1:00 PM

Members Present

David Lindeman, Chair & Regents Representative
Amy Meek for Melissa Rooker, Kansas Children's Cabinet and Trust Fund
Melinda Kline, Kansas Dept. for Children and Families (DCF)
Tricia Waggoner, Kansas Department of Health and Environment (KDHE)
Julie Rand, for Dr. Watson, Kansas Commissioner of Education,
Lisa Collette, Vice-Chair & Insurance Commission Representative
Gary Henault, KDADS
Laura Leistra, Medicaid Representative
Elizabeth Brunscheen-Cartagena, Parent Member
Susan Bowles, Service Provider Member
Ann Elliott, Service Provider Member
Erin Schuweiler, Service Provider Member
Monica Ross, Service Provider Member
Kimber Corn, Head Start Representative
Kim Kennedy, Kansas Dept. for Children and Families (DCF) (Ex-Officio)
Lesli Girard, Families Together (Ex-Officio)

Members Not Present

Nichelle Adams, Kansas Dept. for Children and Families (DCF)
Tayler Cantrell, Parent Member

Nonmembers Present

Stacy Novak, KSDE SICC staff member
Jennifer Slagle, Kansas Department of Children and Families
Hilary Crist, provider, incoming member in August 2023
Stephanie Wills, Infant Toddler Coordinator Garden City (Russell CDC)

Trish Backman, School Mental Health, KSDE
Shay Ross, DCF
Michelle Calvert, Comcare

Call to order:

Chair Dave Lindeman introduced himself and called the meeting to order with introductions of all present (it was noted that there was a quorum).

Meeting Minutes:

The minutes from February 2023 were reviewed and approved.
Motion made by Ann Elliott to accept minutes
Seconded by Amy Meek
Motion carried – All members voted yes

Meeting agenda:

The agenda for March 2023 was reviewed and approved with revisions.
Lisa Collette moved to accept the agenda
Laura Leistra seconded the motion
Motion carried – All members voted yes

Public Comment:

No request came in for public comment.
No public comments

Local Program Update:

Feedback from LICCs to the SICC led by Stacy Novak, SICC staff person

- What does your LICC get from the SICC that you find most valuable?
- What would your LICC like to see the SICC do to support you better?

Suggestions for improvements:

- Legislative Updates
- Upcoming Trainings
- OAEs
- LICC sharing time
- New chair breakout sessions
- Newsletter

Poll Results:

Listed in order from most votes to least

*most votes

**significantly more votes

LICCs benefit from the SICC:

- sharing of state agency information*
- resources
- sharing of upcoming trainings

SICC could better support LICCs by:

- Providing more ideas for funding sources*
- Training new LICC members*
- Increasing the LICCs efficacy and productivity
- Advertising/promoting LICCs
- Providing more information

Best use of funds:

- LICC general assistance**
- Sponsoring conferences
- Conference registrations for members

State Program Update:

Jennifer Slagle, Kansas Department of Children and Families, CAPTA & CJA Program
Manager

CAPTA & Children's Justice Act overview

Jennifer.slagle@ks.gov

www.dcf.ks.gov

Brief history of CAPTA – Child Abuse Prevention and Treatment Act

- CAPTA assists states in improving:
 - Intake, assessment, screening, and investigation of child abuse and neglect reports;
 - Risk and safety assessment protocols;
 - Training for child protective services workers and mandated reporters;
 - Programs and procedures for the identification, prevention, and treatment of child abuse and neglect;

- Development and implementation of procedures for collaboration among child protection services, domestic violence, and other agencies; and

Services to disabled infants with life-threatening conditions and their families.
In 2022, 3,563 families were supported.

Current Grants/Contracts:

- Wichita State University
 - Wichita Coalition for Child Abuse Prevention
- Wichita Police Department
 - Community Support Specialist – 2 positions
- Sedgwick County Sheriff's Office
 - Community Support Specialist – 1 position
- Mainstream Nonprofit
 - Citizen Review Panel Facilitator

Children's Justice Act (July 1999)

- The Children's Justice Act (CJA) assists states in developing, establishing, and operating programs designed to improve:
 - The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner that limits additional trauma to the child and the child's family;
 - The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
 - The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation;
 - The assessment and investigation of cases involving children with disabilities or serious health related problems who are suspected victims of child abuse or neglect.

CJA Grants:

- Kansas ChildFirst
 - Forensic interview courses
- Kansas Children's Service League
 - Governor's Conference
- Child Advocacy Centers of Kansas
 - CAC's and MDT's
- Children's Mercy Hospital
 - CARE Referral

32 Children's Advocacy Centers in Kansas

Questions and comments:

- What's the breakdown of abuse categories among children with disabilities?
She'll find out and follow up with us.
- How many Part C referrals are made by DCF?
She'll find out and follow up with us.
- What type of training do new DCF employees have?
She shared the numerous hours of training for a variety of topics.
- How do new DCF employees get training on reporting to Part C?
She'll find out and follow-up with us.

Part C Grant & GEPA statement and form

The Part C grant was shared with all along with the GEPA statement by Tricia Waggoner

Proposed GEPA – General Education Provisions Act statement:

The Kansas Department of Health and Environment (KDHE) is the lead agency for Kansas Early Childhood Developmental Services (KECDS), the IDEA Part C program in Kansas. KECDS is dedicated to serving infants and toddlers and their families in ways that promote and assure access, participation, equity, and inclusion, are free from discrimination, exclusion, ableism, and bias based on race, color, gender, sexual orientation, gender identity or expression, religion, national origin, ancestry, age, military or veteran status, disability status, marital or family status, genetic information, or political affiliation. KECDS serves culturally, ethnically, and socio-economically diverse populations of infants and toddlers with developmental delays and/or disabilities and their families, including historically marginalized populations. Kansas is strongly committed to equal access to early intervention and infant mental health services for all infants and toddlers and their families identified through child find, and served in, KECDS, as well as to the early intervention service providers and the public. KECDS is advised by and works with its State Interagency Coordinating Council and network of Local Interagency Coordinating Councils to identify and address any barriers to service, especially for historically marginalized populations. In order to remove barriers KECDS services are provided at no cost to families so that cost is never a barrier; informational and support materials are translated into the languages native to the families served and those services are collaboratively planned and provided at times most convenient to the families, even if those times fall outside regular business hours. Services are conducted in home, childcare centers, community-based locations or other natural environments based on strengths and utilizing naturally occurring routines and activities to meet the priorities and needs of families. KECDS is actively working with community partners to improve access and prevent suspension or exclusion of children with disabilities and/or developmental delays from community, school or other state-based services. Further, KECDS supports training and technical assistance throughout Kansas that is sensitive to diverse populations and supports an Anti-

Racism/Anti-Bias Community of Practice for providers and ensures the centering of family voices at the local and state level.

Contact Tricia Waggoner for a copy of the Part C Grant application draft.

This will be open for public hearing 2 times before it's submitted.

Questions & Comments:

How different is the Part C grant?

- revised GEPA statement and separating the administrative costs.
- In future years there will be more tracking.

Are there concerns about the low (5%) administrative cost?

No

Is the GEPA different?

Yes, it's a more active and specific statement about how we prevent discrimination. The KDHE legal team has reviewed and approved the statement.

ACTION:

Ann Elliott made a motion to approve the revised GEPA statement.

Amy Meek seconded the motion.

Motion carried. Unanimous

Ann Elliott moved we approve the proposed Part C Grant Application.

Liz Brunscheen-Cartagena seconded.

Motion carried. Unanimous

Committee Reports:

Executive Committee:

Approved the agenda

EC / LRE Workgroup

- Did not meet
- Chavis will be working with the committee again

LICC Support Committee

Tentative date LICC retreat of November 3rd, 8:30 – noon
We'll have breakout sessions

The tri-state law conference is on that date. That could be a conflict.

Social Emotional Workgroup

Written report:

Identified a speaker for the next meeting.

SPP/APR

Did not meet – no report

Workforce / Funding Committee

A planned meeting with Gary H. @ KDADS for ideas for testimony. They are in the gathering of information stage.

The meeting will be on April 11th at 11 am.

Stacy will reshare the questions and comments with Gary.

Agency Reports:

KSDE Report

Follow-up information from the ASQ – PPT and aggregated data provided from previous meeting.

Written report is attached at the end of the minutes.

The request for information about the increase in ASQ screenings causing more referrals to Part C. – No news yet.

OSEP Notice:

Initial evaluations cannot be delayed or denied by local LEAs until a pre-k child goes through the MTSS/RTI process.

Kindergarten in Kansas booklets?

KPIRC

DCF Report

No report

KDHE Report

Kansas is working on expanding Broadband access. She shared the map of broadband coverage for people to review and respond.

Written Report:

The RFP for a new database has been sent to purchasing at KDHE.

- ♣ We continue to meet with local programs on a branding initiative.
- ♣ KECDs and KSDE presented at KDEC on transition from C to B.
- ♣ The Determinations were distributed to local programs on February 20th. They had until March 20th to appeal and they have until April 20th to complete any required actions.
- ♣ We have completed the federal grant application and have it posted to our website.
- ♣ We have begun contract negotiations for the next fiscal year with Kansas Inservice Training Systems, Assistive Technology of Kansas and Office of Administrative Hearings.
- ♣ Local program grant applications are now open and due April 24th

KDADS Report

- Working with Medicaid at KDHE on a crosswalk for the billing codes for children 0-5.
This is being done on the national and state level.
- Working towards creating more focus on behavioral health prevention in early childhood. The needs are growing nationally and across the state.
- Working on a certification for behavioral health techs.
- Food and Mood project – food disparages and behavioral health issue
 - Many groups from across the nation working together on this.

YLink for junior high and high school. – 200 youth visited the capital for Advocacy Day

- They also have an opening for a YLink Youth Engagement Specialist

KCCTF Report

Request for proposals for accelerator grants for child care centers wanting to increase capacity. <https://allinforkansaskids.org/accelerator/>

Families Together:

Working together will LICCs in western Kansas and making connections.

They are getting inquiries about evaluations.

Parents and teachers had contacted them with questions about the referral before the referral.

The MTSS/SIT process typically must be exhausted prior to a SPED evaluation.

Parents can request a comprehensive evaluation and the District must respond within 15 days with a plan for moving forward.

Other Reports:

Staff Reports: Stacy Novak

- Officially been on the job 28 days.
 - Seeking feedback on SICC supports for LICCs
 - In the future, I'll send meeting materials to you sooner. I'm working on a more efficient way to gather and send it.
- Attended the KDEC conference and joined Dave in a SICC Q&A breakout session
- Attended the Douglas County LICC and the EC3 LICCs
- Attending New Coordinator Trainings monthly
- Beccy has been updating the LICC Chairperson information
 - We would like to have phone numbers.
- Working with the Governor's appointments office to identify and appoint new members.
 - Helping me identify potential legislative members
 - New Provider member – Hilary Crist – term begins August 1st
 - 3 interested parent members – 2 are in the appointment process, 1 will be applying soon
- ASQ follow-up: I'll be sharing the ASQ PPT from the February meeting along with the aggregated ASQ results requested at the meeting. – it was emailed.
- I will be the Part C contact person for ASQ support questions.

Chair Report

Melinda Kline, who represents foster care with DCF, is leaving her position. We'll be reappointing some to her position.

Other materials provided prior to the meeting via email:

Adjournment:

Motion made by Gary Henault to adjourn the meeting.

Motion seconded by Ann Elliott

Meeting adjourned at 3:12 pm by Dave Lindeman

All in favor

The next State ICC meeting will be virtual on April 21, 2023.



The mission of the Kansas Coordinating Council on Early Childhood Developmental Services is to ensure that a comprehensive service delivery system of integrated services is available in Kansas to all children with, or at risk of, developmental delays from birth through age five and their families.

Kansas State Department of Education (KSDE) Agency Report

Meeting Date: 03/24/2023

- **Provide a brief description of new/ongoing activities related to children age five or under and their families.**

On Feb. 14th, the **Kansas State Board of Education** adopted proposed amendments to teacher licensure regulations, including changes to the names of some licenses, adding endorsements and deleting some requirements.

The Kansas State Department of Education's Teacher Licensure team has put together a [Regulations Changes Summary](#) which summarizes the changes and the impact each change will have. One Name Change to note for the SICC would be:

5. Elementary Education K-6 endorsement changed to **Elementary Education Pre-K-6.**

- Elementary education grade level changed to pre-K-6. Educators who complete programs after Feb. 14, 2023, will receive an Elementary Education Pre-K-6 endorsement.
- The policy adopted in 2015 that allows an elementary education K-6 licensed educator to teach general content to 3- and 4-year-old students will remain in effect. Educators who have the Elementary K-6 endorsement will not be required to add an Elementary Education Pre-K-6 endorsement.

Commented [API]: Love the way you make connections to show what's relevant to the SICC!

No edits needed, but some helpful historical context to have - about a year ago Shane Carter (KSDE Teacher Licensure Director) and I met with the ECHO (Early Childhood Higher Education Options?) group of representatives from the 4-year colleges responsible for Early Childhood prep programs. I learned that there was some dissatisfaction about this 2015 shift at the time - so if people see this and have concerns or discussion, it'd be a good place for further discussion/inviting KSDE teacher licensure to come present in the future.

I'm betting you've got it in here later on, but this is also a good connection to the recent call for Early Childhood accreditation standards reviewers from Catherine Chmidling. If I remember right that was in KSDEweekly or Inside KSDE recently.

The **Kansas State Department of Education** is looking for volunteers from **pre-K-12** and higher education to review educator preparation programs. Program reviewer training takes place in the fall.

Why become a program reviewer?

- Give back to the profession.
- Make sure standards are maintained in Kansas educator preparation programs.
- Build a network outside your district.
- Earn Professional Development points (confirm this with your district).
- Pick which programs you review based on your content area and schedule.
- The flexibility to travel to Topeka or conduct reviews via ZOOM.
- KSDE reimburses your district for your substitute on the day you work on program reviews.

To be a program reviewer, you need to hold an endorsement in any of the educator license and endorsement content areas Kansas offers or be part of an education preparation program and instruct in that content field; understand the current preparation standards; and take part in KSDE's training for program reviewers. Visit the recent [KSDE Weekly article](#) to learn more about becoming a program reviewer. If you would like to volunteer to be a program reviewer, sign up [HERE](#). If you have questions about becoming a program reviewer, contact KSDE's Catherine Chmidling (cchmidling@ksde.org) or Joe Midgley (jmidgley@ksde.org).

At the end of February, **Gov. Laura Kelly** announced her appointments to the **Early Childhood Transition Task Force**, including Amanda Petersen, director of the Kansas State Department of Education's Early Childhood team. The task force is charged with reviewing Kansas' early childhood care and education system and developing a roadmap for the creation of a cabinet-level agency dedicated to supporting Kansas children.

"I'm proud to announce the appointment of this bipartisan group of Kansans to serve on the Early Childhood Transition Task Force," Kelly said. "Representing business, government, advocacy and the early childhood sectors, these appointees bring years of experience and a wealth of expertise to the most important challenge we face as a state – giving our next generation the strongest possible start to life. I look forward to collaborating with this group and reviewing their findings in the coming months."

You may visit the [KSDE Weekly article](#) to read the full story and view the other members appointed to the Early Childhood Transition Task Force.

Gov. Laura Kelly signed a proclamation designating **March 12-18** as **National Child and Adult Care Food Program Week**. CACFP Week is a national education and information campaign sponsored annually the third week of March by the National CACFP Sponsors Association. The campaign is designed to raise awareness of how the USDA's Child and Adult Care Food Program works to combat hunger. The CACFP brings healthy food to tables across the country for children in child care centers, homes and after-school programs, as well as adults in adult day care settings. The National CACFP Sponsors Association has partnered with Sesame Street in Communities for a week-long education and information campaign; see campaign materials at <https://www.cacfp.org/campaign>.

Greenbush, ESSDACK and Orion service centers have partnered to create a social-emotional learning (SEL) video resource library for paraprofessionals. Paras and educators can browse through a variety of SEL topics and receive certifications of completion.

Users will need to set up a free account with [Greenbush+](#) to access all the videos. The paraprofessional training professional development is located online [here](#).

The **Kansas State Department of Education's Child Nutrition and Wellness (CNW)** team launched its new website on Friday, Feb. 24. A tutorial also has been developed to assist in the navigation of the new website. It is located at [KSDE Training Portal](#), under Child Nutrition & Wellness, Tutorials, General Information Tutorials. Please update your bookmarks so that you can go directly to cnw.ksde.org as of Friday, February 24th.

Visit the [KSDE Weekly](#) article to read about other CNW updates including:

- New USDA guidance released on public health emergency
- Information on school breakfast waivers
- Information on Kansas online application for free and reduced-price meals
- Kansas Certificates in Child Nutrition Management awarded to three child nutrition professionals
- Farm to Plate subgrants awarded to 12 School Nutrition Program (SNP), Child and Adult Care Food Program (CACFP) and Summer Food Service Program (SFSP) sponsors

Commented [AP2]: Cheryl Johnson includes me on the CNW team's regular updates to CACFP sponsors and I remembered this.

- KSDE's Child Nutrition and Wellness team to host March Town Hall meeting

An event at the end of February allowed **early childhood educators** to learn how to embed children's inquiry, cause-and-effect reasoning, problem-solving and literacy into a learning platform of play. **The Play to Learn event** took place from 8:30 a.m. to 2:30 p.m. Monday, Feb. 27, at the Southwest Plains Conference Center in Sublette. Dr. Gayla Lohfink, Kaylee Schwieterman and Dr. Amber Miller facilitated the in-person event.

The session was attended by preschool, kindergarten, and primary educators, as well as instructional coaches and administrators. There were breakout sessions on STEM, music, literacy and oral development, social-emotional learning, challenging behaviors and more.

Amanda Petersen, director of the Kansas State Department of Education's (KSDE) Early Childhood team, and Natalie McClane, an education program consultant on the KSDE Early Childhood team, presented at the event. Read the [full article](#) to see what Amanda Petersen had to say about this event and future opportunities.

In the [March 2nd KSDE Weekly newsletter](#), a story was published highlighting a successful partnership between **Burlington Unified School District 244** and other **community partners in Coffey County**. A few years ago, only 50% of the child care needs in Coffey County were being met and adding child care options in the community was identified as an extreme need.

The entire Burlington community worked together to solve the problem. Through grants, donations from area businesses, money from Coffee County Commissioners, a donation of a building from the city of Burlington and lots of hard work, the **Burlington Early Learning Center (BELC)** opened in June 2021.

A Mobilizing Literacy grant funded by the W.S. and E.C. Jones Trust allows Burlington USD 244, to work with BELC and other local child care facilities and preschools to prepare students for the transition to kindergarten. BELC has recently started a partnership with Parents as Teachers administering the Ages & Stages Questionnaires (ASQ), which help provide a snapshot of a child's developmental milestones. The center also partners with Flint Hills Cooperative

to offer developmental delay special education referrals to families with children ages birth to 3.

Flint Hills Cooperative has access to occupational, physical and speech language therapists, as well as a social worker with Flint Hills Infant Toddler Network. When it first opened in June 2021, BELC provided services to 18 children, ages birth to 5. With a license extension, the center can now have up to 74 children. The center is open from 7:15 a.m. to 5:30 p.m. with availability for extended hours if needed by families.

The center breaks classes into the following categories:

- Newborn to 9 months.
- 9-18 months.
- 18 months to 2.5 years.
- 2.5-3 years.
- 3 years to school age.

You may read the entire success story by visiting the [full KSDE Weekly article](#). Please contact Ann Bush (abush@ksde.org) to highlight a brightspot or success story of district and community partnerships in your area benefiting our field of early childhood education.

- **Provide a highlight of agency initiatives on the horizon or are ready to be initiated.**

The [Approval Forms for Preschool-Aged At-Risk Funding](#) are due April 3, 2023. This short survey can be accessed on the Kansas State Department of Education's (KSDE) Preschool Programming webpage along with the [Preschool-Aged At-Risk Program Requirements and Assurances Documents](#).

In districts operating approved programs, 3-and 4-year-old students who meet an at-risk criterion for the Preschool-Aged At-Risk Program and who are enrolled and attending on Count Day (Sept. 20) will automatically count as a half student (0.5 FTE) in calculating a district's enrollment and accompanying weightings. If you have any questions or need any assistance completing this form, contact Natalie McClane, an education program consultant on KSDE's Early Childhood team, by email at nmclane@ksde.org or call 785-296-5081.

The [Help Me Grow Kansas](#) project is offering free virtual **Ages & Stages Questionnaires (ASQ) trainings** in March. These trainings are designed to support the statewide expansion of the ASQ and are not specific to the Kindergarten Readiness Snapshot.

Kansas educators can visit www.agesandstages.com/ks/ for **Kindergarten Readiness Snapshot** resources. However, these upcoming trainings will provide a good introduction to the tool.

The Ages & Stages Questionnaires®, Third Edition (ASQ-3) and the Ages & Stages Questionnaires®: Social-Emotional, Second Edition (ASQ:SE-2) provide a snapshot of children's developmental milestones.

The ASQ-3 addresses five developmental areas: communication, gross motor, fine motor, problem-solving and personal-social. The ASQ:SE-2 addresses seven social-emotional areas: self-regulation, compliance, communication, adaptive behaviors, autonomy, affect and interaction with people.

You can learn more and [register for the 1-4:00p.m. March 28 ASQ-3 introductory training](#), and/or [register for the 9 a.m.-12 p.m. March 30 ASQ:SE-2 introductory training](#) by visiting the links provided. You can also visit the [Kindergarten Readiness Snapshot](#) to review key dates and resources for the 2023-2024 school year. Pre-K-12 school staff members with questions about the ASQ can email Amy Rzadczynski (arzaczynski@ksde.org). The full Ages & Stages Questionnaires trainings [article](#) is available on the KSDE Weekly page.

The **Kansas Federal Education Funds Administration Forum** is scheduled for **March 30-31** in Wichita. The last three years have brought a surge of much needed federal relief aid to Kansas school districts, but those new funds come with a variety of conditions and requirements that will all be monitored for compliance. Whether you are in the business office, a district administrator or a federal programs coordinator, this forum includes information that will be beneficial.

Sessions will address the most critical elements of Uniform Grant Guidance; Electronic Data Gathering, Analysis and Retrieval (EDGAR) system; General Education Provisions Act (GEPA); and the other requirements that are

fundamental to all federal education programs in a way that is accessible to new staff members and meaningful to veterans.

Visit the [events webpage](#) for more information and registration details. For questions or concerns regarding registration, email Brad Schwartz at bschwartz@pittstate.edu.

The **Kansas Technical Assistance System Network (TASN)** is offering the opportunity to join Barbara Kaiser for a deep dive into the science of childhood behaviors and what to do about them.

The free all-day training will take place in **Hays on April 24**, in **Wichita on April 25** and in **Topeka on April 26**. Lunch will be provided.

This workshop will help attendees understand how your culture and life experiences impact your expectations of a child's ability and behavior and why certain behaviors push your buttons.

All attendees will receive a free copy of Kaiser's book, too. [Learn more and register to attend at the TASN website.](#)

The **Kansas State Department of Education's Summer Academies** will take place in June and July. Choose an in-person option from four districts across Kansas. The cost for the **Great Ideas in Education: Instructional Artistry 2023** events is \$150. The Kansas State Department of Education will provide best practices, research-based and evidence focused on learning loss and targeted subgroups. There will be sessions for learning, as well as workshop times to integrate learning into curriculum and practices.

Dates and times are:

- June 12-13: Buhler High School.
- June 15-16: Colby High School.
- July 10-11: Billy Mills Middle School, Lawrence.
- July 13-14: Atchison High School.

To register, go to [KSDE 2023 Summer Academy](#).

- **Does the agency need the Council to act in its advise and assist role?**
- **Is there a specific request of the Council, need for further discussion, or action by the Council?**

KSDE appreciates the engaging conversations that took place at February's SICC monthly meeting around the potential correlation between the increased usage of the Ages & Stages Questionnaires (ASQ) and number of referrals to Part C and Part B for children birth through kindergarten. While we do not currently have a system that would track this specific question at this time, we are looking into the data points we have, to examine this question further. KSDE will give an update on this at the April meeting. In the meantime, if you have further questions around this, reach out to Julie Rand (jrand@ksde.org).

Commented [AP3]: Terrific - looks great

KSDE would also appreciate the Council being aware of and disseminating the following message sent to states from the Division Director at the **Office of Special Education Programs (OSEP)** regarding IDEA evaluations:

It has come to our attention that in initial evaluations have sometimes been delayed or denied by local educational agencies (LEAs) until a child goes through the multi-tiered system of supports (MTSS) process, sometimes referred to as Response to Intervention (RTI). Although the term RTI is no longer commonly used to describe a State's multi-tiered system of supports, the attached memoranda apply to all tiered systems of support, whether the State uses a RTI, MTSS or a unique State name. The basis for these memoranda is the child find requirements in Section 612(a)(3) of the IDEA. Each IDEA Part B and Part C grantee must ensure it has a system in place for meeting the child find requirements as a condition for funding.

OSEP reminds State educational agencies and LEAs that the Part B regulations at 34 C.F.R. §300.301(b) allow a parent to request an initial evaluation at any time to determine if a child is a child with a disability under IDEA. As OSEP Memorandum 11-07 states, MTSS/RTI may not be used to delay or deny a full and individual evaluation under 34 C.F.R. §§300.304-300.311 for a child suspected of having a disability. With respect to preschool children, IDEA does not require or encourage a local or preschool program to use a MTSS approach prior to referral for evaluation or as part of determining whether a 3-, 4-, or 5-year-old is eligible for special education and related services. Once an LEA receives a referral from a preschool program, the LEA must initiate an evaluation

process to determine if the child is a child with a disability. See: 34 C.F.R. §300.301(b).

OSEP recommends that you review the attached memoranda and distribute them to LEAs and intermediate education units within your State. Please let them know that because the content of these memoranda reflects IDEA statutory and regulatory requirements, they are still in effect.

If you have any questions regarding this email, please contact your OSEP State Lead.

1. [OSEP Memorandum 11-07](#)--A Response to Intervention (RTI) Process Cannot Be Used to Delay-Deny an Evaluation for Eligibility under the Individuals with Disabilities Education Act (IDEA) (January 21, 2011); and
2. [OSEP Memorandum 16-07](#)--A Response to Intervention Process Cannot be Used to Delay-Deny an Evaluation for Preschool Education Services under the Individuals with Disabilities Education Act (April 29, 2016).

KSDE [shared this message with schools in the March 16 edition of KSDEweekly.](#)