

# BLUE VALLEY SCHOOLS

## Board Advisory Committee

### Special Education Advisory Committee

#### MEETING MINUTES

March 11, 2025, District Office High Plains Room

#### MEMBERS IN ATTENDANCE

Kristin Asquith, Amy Beau, Sarah Betlach, Amie Bybee, Allison Confer, April Eagan, Ashleigh Hipp, Heather Jenkins, Jamie Katz, Michelle Kelly, Kristen Leaming, Hope Lind, Jim McMullen, Katie Meierhenry, Shannon Mills, Kristin Myers-Trysla, Jennifer Nowak, Chris Payne, Jennie Perdieu, Mark Schmidt, Erika Sheets, Susan Taylor, Megan Thompson, Erica Warren, Fred Wingert, Kathy Weldon (clerk)

#### LEGISLATIVE UPDATE (DISTRICT/STATE) – DR. MARK SCHMIDT

##### Legislative Priorities:

- Legislative priorities and resources are available on the [Blue Valley Website](#), including:
  - Legislative overview and key positions.
  - Letter templates to advocate for special education funding.
  - Updates and testimonies.

##### Kansas Education Bills:

- **HB 2007:** Includes appropriations for KSDE and special education.
  - House Appropriations Committee increased SPED funding by \$10M instead of \$72M.
  - Senate Education Committee recommended no additional special education funding.
  - Historical context: Last time the legislature met the 92% funding obligation was in 2011.

##### Section 504 and IDEA:

- **Texas v. Becerra** case challenges the 2024 Section 504 rule updates.
  - Legal concerns over extending protections to individuals with Gender Dysphoria.
  - Broader implications for K-12 and higher education if Section 504 is eliminated.

## STATE OF THE SPED UPDATES – DR. MARK SCHMIDT

### Superintendent Search:

- Finalist interviews held March 10, 2025.
- Approval expected at the April 14, 2025 Board of Education meeting.

### IEP Updates for Compliance and Communication – Kristin Asquith

- New IEP Accommodation Grid introduced:
  - Clarifies frequency, location, and duration of accommodations.
  - State and district assessment grid will align with classroom accommodations.

### Special Education Transportation – Kristin Asquith

- New rubric created to help IEP teams assess transportation eligibility.
- Key questions to determine eligibility:
  - Administrative placement outside of home school.
  - Physical, cognitive, or behavioral needs requiring special transport.

### Extended School Year (ESY) – Jennie Perdieu

- Eligibility determined by:
  - Regression (25% loss from previous benchmark).
  - Critical stage of learning.
  - Severity of need (100% SPED support required).
- 2025 ESY Schedule:
  - June 2 – June 26, Monday – Thursday (No school June 19).
  - Locations: Early Childhood, Elementary, Middle/High, 18–21 program.

## OPEN FORUM

No topics raised

## SEAC COMMITTEE UPDATES

### Special Needs Resource Fair – Heather Jenkins

- Scheduled for April 10, 2025 (5:00 – 8:00 PM) at [bvseac.org](http://bvseac.org).

### Kansas Council on Developmental Disabilities: Day at the Capitol – Amie Bybee

- Report on legislative discussions impacting individuals with disabilities.

### Parent Information Night – Amie Bybee

- Focus on Kansas ABLE program – led by Sara Hart Weir.

### Ability Showcase – April Eagan

- Scheduled for April 28, 2025 at Blue Valley High.

## NEXT MEETING

Tuesday, April 15, 2025, District Office High Plains Room

The meeting adjourned at 1:00 pm.

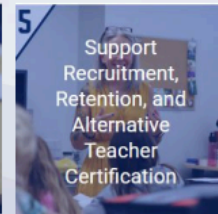
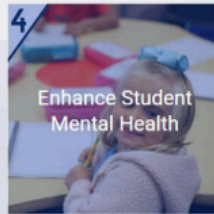
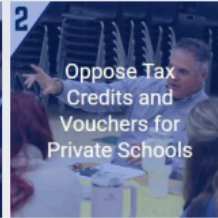


# Blue Valley Website: Legislative Information

## LEGISLATIVE INFORMATION: Website Tour

(<https://www.bluevalleyk12.org/legislative>)

- [Legislative Overview and Priority Position](#)
- [Legislative Resources](#)
  - [Legislative Letter Templates - Fund Special Education](#)
- [Legislative Updates](#)
- [Contact Your Legislators](#)
- [Testimonies](#)
  - [District Advocates for Continued SPED Funding](#)



## Section 504 and IDEA

**Texas v. Becerra:** The states in *Texas v. Becerra* started by challenging the 2024 updates to Section 504 rules which extended protections to individuals identified with Gender Dysphoria. This would not have affected 504 plans. However the states are also claiming that the entire Section 504 itself is unconstitutional. The 17 states are asking that the court:

1. Stop the enforcement of updated Section 504 rules
2. Declare the 2024 rule update to Section 504 illegal
- 3. Declare Section 504 unconstitutional**

- Alabama
- Alaska
- Arkansas
- Florida
- Georgia
- Indiana
- Iowa
- Kansas
- Louisiana
- Missouri
- Montana
- Nebraska
- South Carolina
- South Dakota
- Texas
- Utah
- West Virginia



## Section 504 and IDEA

### Broader Educational and Legal Implications

#### 1. Legal Challenges and Compliance Issues:

- Schools and educational institutions would need to navigate the legal landscape without the clear guidelines provided by Section 504, leading to potential compliance issues and legal challenges.
- The elimination of Section 504 could result in increased litigation as parents and advocates seek to protect the rights of students with disabilities through other legal avenues.

#### 2. Impact on Higher Education:

- Section 504 applies to all levels of education, including higher education. Its elimination would affect college and university students with disabilities, who rely on Section 504 for accommodations and support.
- IDEA does not extend to higher education, leaving a significant gap in protections for students with disabilities pursuing post-secondary education.



## Kansas Education Bills

### **HB 2007: KSDE Appropriations including Special Education Funds**

Appropriations for KSDE: HB 2007 makes and concerns supplemental appropriations for fiscal year 2025 and appropriations for fiscal years 2026 and 2027 for KSDE and various state agencies, includes funding for SPED.

- The Kansas House Appropriations Committee decided to increase special education funding by only **\$10** million next year, **rather than the previously planned \$72 million**.
- During the Senate Education Committee budget discussions, it was recommended that no new money be allocated for special education for the upcoming school year. The committee's chair (Renee Erickson, Wichita) stated that they only wanted to fund K-12 education to the levels directed by the Kansas Supreme Court.

Historical Context: School districts across the state are currently taking nearly \$440 million from their general funds to cover special education costs. The last time the legislature met its obligation of funding 92% of excess costs for special education was in 2011.

Legislative Process: The bill has passed as amended in the House with a vote of 83-36 and is scheduled for hearings in the Senate Committee on Ways and Means from March 10 through March 13, 2025.



## IEP Accommodations Chart

- New Accommodations grid was added to IEP
- Intended to clarify the rationale, frequency, location, duration of each accommodation as required by state law and regulations.
  - Frequency – How often the accommodation is needed
  - Location – In general education, special education, both
  - Duration – Circumstances, how long, situations the accommodation would be needed
  - Rationale – Explanation of why the student requires the accommodation



## IEP Accommodations Chart

- Previous view of accommodations was open text boxes just a list of accommodations, which didn't always include all required elements.
- State and district assessment grid will mirror the classroom accommodations setup eventually
- We have requested that the previous open text boxes will be removed from the IEP, after all IEPs have been updated at the annual IEP meetings.



# Comparative View–Previous

**SUPPLEMENTARY AIDS AND SERVICES (ACCOMMODATIONS AND MODIFICATIONS)**

**Classroom Instruction/Assignment**  
 Does the Student require Accommodations/Modifications for Classroom Instruction/Assignments?  No  Yes

Curriculum Differentiation  
 Extended time  
 Reduce number of questions  
 Scribe

Does the Student require Accommodations/Modifications for Assessments?  No  Yes

**Accommodations**

- Text to Speech-reading passage\*
- Extended time
- Reduce number of choices
- Text to Speech-directions/test items\*
- Alternate testing format
- Take test in a quiet, non-competitive setting
- Test based on extended standards
- Reduce number of test items

**Environmental Supports**  
 Does the student require Environmental Supports?  No  Yes

Alternate work space  
 Frequent breaks  
 Priming prior to unfamiliar or unstructured events or part of the day  
 Sensory program  
 Social skills support



# Comparative View–New Chart

**SUPPLEMENTARY AIDS AND SERVICES (ACCOMMODATIONS AND MODIFICATIONS)**

**Classroom Instruction/Assignment**  
 Does the Student require Accommodations/Modifications for Classroom Instruction/Assignments?  No  Yes

Color coding  
 Extended time (clarify amount of time)

**Classroom Accommodations and Modifications**

Accommodation	Start Date	Rationale	Location	Duration	Frequency
Separate, quiet setting to reduce distractions for classroom tests	10/27/2024	Jane has difficulty attending to tasks and can be easily distracted, so a separate, quiet setting to complete classroom tests is needed.	In all core classes (social studies, science, math, and language arts)	For the length of the test being administered	Anytime classroom tests are given in core classes
Seating by the point of instruction	10/27/2024	Jane has difficulty attending to tasks and can be easily distracted, so seating near the point of instruction is needed.	General education and special education classes	For the entirety the instruction in class	When the teacher if providing direct instruction to the class
Extended time on classroom tests	10/27/2024	Jane has difficulty attending to tasks and can be easily distracted, so additional time to process and complete classroom tests is needed.	In all core classes (social studies, science, math, and language arts)	Time-and-a-half to complete classroom tests	Anytime classroom tests are given in core classes



# Special Education Transportation

- Transportation is a related service for students in special education when it is determined it is required to access special education services.
- Document created to help IEP teams make data driven decisions of whether students are eligible for transportation, so transportation resources (drivers and aides) are allocated to those students who would not be able to attend school without it.
- Use a series of questions; **yes** to any question qualifies the student for special education transportation.
- Will assess student skills to determine level of current skills or functioning related to accessing school/services.



# Transportation Eligibility Questions

1. Was the student administratively placed in a center-based classroom outside their school of residence?
2. Does the nature and severity of the student's disability make SPED transportation necessary because the student cannot access the school building the same independent way as non-disabled peers?
3. Does the student exhibit significant and frequent behaviors that cannot be reasonably accommodated on general education transportation, thus requiring special education transportation?
4. Does the student have physical disabilities or limitations that prevent the student from accessing school in the same independent way as non-disabled peers?
5. Does the student have other cognitive, medical, or safety needs that prevent he student from accessing school in the same independent way as non-disabled peers?

**Determining Eligibility for Special Education Transportation**

Special education transportation is a related service that IEP teams evaluate to determine if it is required for the student to access their education services. Not every student with an IEP requires or needs the qualifications for special education transportation. Eligibility for special education transportation may arise if a student with a disability cannot access or use appropriate public education (APE). A team member may need to gather additional information and make observations to determine if the student has the capacity to access the school through regular means (walking, biking, and/or general education transportation) or if specialized transportation is required to access services. Consider the guiding questions below to determine special education transportation eligibility for the student.

Question	Yes	No
1. Was the student administratively placed in a center-based classroom outside their school of residence? Note: If the student is at the school on a parent initiated transfer, the student is unlikely to qualify for special education transportation.	<input type="checkbox"/>	<input type="checkbox"/>
2. Does the nature and severity of the student's disability make SPED transportation necessary because the student cannot access the school building the same independent way (with or without accommodations) as non-disabled peers (walking, biking, or gear and built)? Elements to assess include the following: <ul style="list-style-type: none"> <li>• To what degree is the student expected to be wheelchair?</li> <li>• Does the student have dual sensory loss (vision and hearing)?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
3. Does the student exhibit significant and frequent behaviors that cannot be reasonably accommodated on general transportation, thus requiring special education transportation for safety? Elements to assess include the following: <ul style="list-style-type: none"> <li>• Has the student demonstrated that rating the bus, even with supports, creates safety concern for the student or others?</li> <li>• What is the student's response to positive behavior interventions?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
4. Does the student have physical disabilities or limitations that prevent the student from accessing school in the same independent way (with or without accommodations) as non-disabled peers? Elements to assess include the following: <ul style="list-style-type: none"> <li>• What is the student's maximum walking distance?</li> <li>• Does the student have medical needs which would make it unsafe to walk or ride the bus?</li> <li>• Does the student have communication needs that would make it unsafe to walk or ride the bus?</li> <li>• Does the student use a wheelchair or other mobility device that prevents access to the general education bus?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
5. Does the student have other cognitive, medical, or safety needs that prevent the student from accessing school in the same independent way (with or without accommodations) as non-disabled peers? Elements to assess include the following: <ul style="list-style-type: none"> <li>• Does the student have the physical ability to walk or ride the bus to school independently?</li> <li>• Does the student require adult support to navigate in special environments?</li> <li>• Does the student have the ability and awareness to navigate traffic signs and crosswalks?</li> <li>• Can the student use a wheelchair or other mobility device that prevents access to the general education bus?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

If student has "Yes" for one or more of the five overarching questions, the student qualifies for special education transportation. Parents may choose to decline transportation. All relevant IEP meeting team members need to review these questions to determine whether the student requires or continues to require special education transportation. Please contact the appropriate special education consultant if you have questions about a specific student situation.



## Qualifying for ESY in Blue Valley

To qualify for ESY, the IEP team must review data and discuss each factor below for the purpose of determining if any factors support the need for Extended School Year (ESY) services. A student must qualify in one or more of the following areas:

- Regression
  - 25% or more from previous benchmark or
  - unable to make up lost skills 2-3 weeks after Winter or Thanksgiving Break
- Critical Stage or Area of Learning
  - Recently showed a significant gain of 25% or more from benchmark (momentum) in a critical skill.
- Severity of Need
  - Requires SPED support 100% of school day
  - Requires highly structured special education environment 100% during the school day

### 2025 ESY Details

#### **DATES:**

Monday – Thursday  
June 2–June 26  
(No school June 19)

#### **TIMES:**

**Early Childhood**  
8:30–11:30  
**Elementary, Middle, High, 18–21**  
8:15–12:00



#### **LOCATIONS:**

**Early Childhood**  
Hilltop Learning Center

**Elementary**  
Blue River Elementary

**Middle/High**  
Blue Valley Southwest

**18–21**  
Blue Valley Service Center

\*\*\*Transportation available at no additional cost  
for all eligible students\*\*\*





## Committee Updates

- ⇒ **Resource Fair Update - Heather Jenkins**
  - [bvseac.org](http://bvseac.org)
  - April 10th, 5:00 - 8:00 pm
  
- ⇒ **KS Council on Developmental Disabilities Day at the Capitol Report - Amie Bybee**
  
- ⇒ **Parent Information Night Report - Amie Bybee**
  - [Kansas ABLÉ - Sara Hart Weir](#)
  
- ⇒ **Ability Showcase Update**
  - April 28th, 7:00 pm