

KY Part B

FFY2015 State Performance Plan / Annual Performance Report

The Kentucky Department of Education (KDE) has a vision to ensure all students are empowered with the skills, knowledge and dispositions necessary to reach proficiency and be college and career ready upon graduation from high school. The KDE continues to collaborate with internal and external partners to improve the educational outcomes for *all* students within the Commonwealth of Kentucky.

The KDE has established the Commissioner's Delivery Unit (CDU). The CDU assesses the KDE's capacity to deliver its most important goals and prioritizes actions to strengthen capacity and achieve results. The CDU uses data analysis and problem solving to enhance the work of cross-functional agency teams and strategic planning processes. Additional information regarding the CDU is located on the KDE website at:

http://education.ky.gov/CommOfEd/CDU/Pages/Delivery_Home.aspx

Attachments

File Name	Uploaded By	Uploaded Date
No APR attachments found.		

In order to ensure consistent data across indicators, provide the number of districts in this field and the data will be loaded into the applicable indicator data tables.

175

This data will be prepopulated in indicators B3A, B4A, B4B, B9, and B10.

General Supervision System:

The systems that are in place to ensure that IDEA Part B requirements are met, e.g., monitoring, dispute resolution, etc.

The KDE is committed to improving educational outcomes for students with disabilities, while continuing to focus on IDEA compliance. The general supervision system identifies and ensures correction of IDEA noncompliance; is making increased proficiency for all students - but especially students with disabilities - a priority; and assists school districts in enabling *all* students to reach proficiency, graduate from high school and successfully transition to a career or post-secondary education.

The Individuals with Disabilities Education Act (IDEA) requires State Educational Agencies (SEAs) such as the KDE to make annual determinations of school districts' compliance with the IDEA. The KDE historically used compliance data to make district determinations. Since OSEP revised its SEA determinations to include both compliance and educational outcomes, the KDE began including educational outcomes for the first time in its district determinations during FFY 2014. The KDE used its *State Identified Measurable Result (SiMR)* from its *State Systemic Improvement Plan (SSIP)* as a factor when issuing determinations for local districts. As noted in the FFY 2015 APR, KDE is updating its Determinations process in the upcoming year, to include graduation rate, which has experienced state-wide slippage. By making this change, KDE expects to discover the root causes for the Indicator 1 slippage and begin activities to address the reasons behind the slippage.

The KDE's monitoring system includes on-site district visits, desk audits and self-reported compliance data. On-site monitoring visits occur within the KDE's State Consolidated Monitoring (SCM) process. Consolidated monitoring provides the KDE an opportunity to review state and federal programs with an eye toward effective implementation and collaboration. Aside from individual program reports, districts are provided consolidated reports that represent an opportunity for collaboration among the districts' federal and state programs. Program monitors identify effective practices during the monitoring process and provide recommendations for addressing common concerns. In addition to SCM, the Division of Learning Services (DLS) conducts individual monitoring on an as-needed basis, when district-specific concerns arise around IDEA.

Kentucky has developed procedures for IDEA financial audits. Audits occur on an annual basis and provide assistance to district finance officers related to Maintenance of Effort; technical assistance on MUNIS (the KDE accounting system), including expenditures with allocations, personnel and payroll reports; and a review of financial documents, files and records.

The DLS annually collaborates with other KDE divisions to conduct SCM activities. During the visits, the DLS verifies the district's self-reported data and issues citations for findings of IDEA noncompliance. The DLS has embraced the federal focus on *Results Driven Accountability* by including compliance indicators that affect student outcomes - such as progress monitoring of annual goals and benchmarks - as part of its compliance monitoring indicators.

The DLS conducts additional district on-site visits when areas of support or need are identified. The DLS also conducts annual desk audits related to *disproportionate representation* (Indicators 9 and 10) within the State Performance Plan (SPP) and Annual Performance Report (APR). The DLS verifies data related to disproportionate representation and issues citations for noncompliance.

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The Kentucky Preschool Program Review is a monitoring process intended to create an oversight system leading to improved teaching and learning in Kentucky's preschool programs. Preschool programs are monitored on a five-year cycle, with additional monitoring as part of the SCM processes or on an as-needed basis.

Additional information regarding the monitoring process is located on the KDE web site at: <http://education.ky.gov/federal/progs/scmi/Pages/default.aspx>

The KDE has a dispute resolution system to resolve conflicts between parents of students with disabilities and local school districts. The DLS and the Office of Legal, Legislative and Communication Services oversee the KDE's due process hearings, state written complaints and mediation. Additional information regarding dispute resolution is located on the KDE web site at:

<http://education.ky.gov/specialed/excep/distres/Pages/Dispute-Resolution-Process.aspx>

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Technical Assistance System:

The mechanisms that the State has in place to ensure the timely delivery of high quality, evidenced based technical assistance and support to LEAs.

The KDE provides schools and districts with technical assistance through a variety of resources.

The KDE established the Novice Reduction for Gap Closure work group, along with webpage support. The purpose of the work group is to address proficiency of Kentucky's gap populations by reducing novice performance on the state-wide assessment, known as the Kentucky Performance Rating for Educational Progress (K-PREP). Information on the webpage assists districts by providing information, resources and tools designed to reduce the number of students scoring at the novice level on the K-PREP and to improve overall student achievement. The Commissioner identified novice reduction as a moral imperative. The group is working to reduce novice performance in the state, including a large percentage of students with disabilities.

Additional information regarding the KDE's Novice Reduction Plan is located on the KDE website at:

<http://education.ky.gov/school/stratclsgap/Pages/default.aspx>

Kentucky's Educational Cooperative Network (cooperatives) enhances the educational opportunities and outcomes of students by providing regional leadership and delivering specialized services in partnership with the KDE, local school districts, Institutions of Higher Education and other service providers. The cooperatives serve as a regional collaborative forum to enhance quality education, to provide a wide range of support services and to model innovative practices for the benefit of students.

Each cooperative has a special education division supported by the KDE with IDEA discretionary funds. The cooperatives employ special education consultants to support transition, students with low incidence disabilities and special education initiatives and the Kentucky Academic Standards (KAS). Literacy and math specialists, who have special education expertise, are hired by the cooperatives to build district capacity in supporting teachers working with students with disabilities. These efforts are intended to lead all students, including students with disabilities, toward gaining greater access to the content in the KAS.

The special education divisions of the cooperatives have developed Regional Systemic Improvement Plans (RSIPs) that align with the KDE's SSIP. The SSIP and RSIPs will enable Kentucky to deliver the needed differentiated technical assistance and support to improve educational results and outcomes for students with disabilities. They also support schools and districts in their comprehensive improvement planning. More information can be found by visiting the following link:

<http://education.ky.gov/comm/about/Pages/Kentucky-Education-and-Special-Education-Cooperatives.aspx>

The KDE provides guidance documents to school districts to assist in compliance with the IDEA. The *Compliance Record Review Document* was developed by the DLS and its partners to assist school district personnel in conducting accurate student due process record reviews. The Document and other information and resources on monitoring are located on the KDE website at:

<http://education.ky.gov/specialed/excep/forms/Pages/Monitoring-Documents.aspx>

The KDE also provides guidance documents to support the development and creation of *Individual Education Programs (IEPs)* in Kentucky. The *IEP Guidance Document*, the *Specific Learning Disability Guidance Document* and the *IEP and Lesson Plan Development Handbook* are resources available to educators and other interested parties across the Commonwealth. Additional information is located on the KDE webpage at:

<http://education.ky.gov/specialed/excep/forms/Pages/IEP-Guidance-and-Documents.aspx>

To assist the KDE with reaching its goals for students with disabilities, the Kentucky Post School Outcomes Center (KYPSO) develops and oversees the administration of the Youth One Year Out (YOYO) Former Student Interview. The YOYO is a longitudinal investigation of the post school outcomes of

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Kentucky youth with educational disabilities during their final year of high school and one year after their high school exit. The KYPSO provides information regarding programs and practices to support secondary transition. KYPSO data are used for SPP Indicator 14. Additional information is located through the following link:

<http://www.kypso.org/>

The KDE contracts with the Kentucky Early Childhood Data System (KEDS) to collect data for SPP Indicator 7. The KDE offers frequent, ongoing technical assistance (TA) from the KDE's School Readiness branch, the Kentucky Early Childhood Regional Training Centers (RTCs), the Kentucky Early Learning Leadership Network (ELLN) and the KEDS staff. TA provided to school districts includes phone calls, email and web trainings in the appropriate use of assessment tools and publishers' data entry systems. Validity measures are discussed with district preschool coordinators at regional meetings with districts implementing plans to measure the accuracy of assessment data at the local level. Guidance documents for the appropriate use of assessment measures and data collection are maintained, disseminated through training and posted on the KEDS website.

Additional information is located on the KDE website at the following link:

<http://mediaportal.education.ky.gov/tag/keds/>

KDE has contracted with the State Implementation and Scaling-up of Evidence-Based Practices (SISEP) Center, an OSEP-funded TA center. SISEP is assisting KDE with Implementation Science principles embedded in the SSIP, including coaching practices, which is a critical part of KDE's SSIP.

Additional information is located at the following webpage links:

<http://sisep.fpg.unc.edu/>

http://education.ky.gov/school/Documents/DriversBestPracticesCoachingSept_09NIRN.pdf

The KDE's System of Leadership Networks were designed to support the quality implementation of the requirements set forth in Kentucky legislation passed in 2009, known as Senate Bill 1. The Networks' purpose is to build the capacity of districts in the Commonwealth as they implement the KAS, develop assessment literacy among all educators and work toward ensuring that every student is college and career ready. The vision for the Networks is to ensure every school district in Kentucky has a knowledgeable and cohesive leadership team that guides the professional learning and practice of all administrators, teachers and staff, so that every student in every class experiences highly effective teaching, learning and assessment practices.

<http://education.ky.gov/school/Pages/Leadership-Networks---Deliverables.aspx>

Kentucky's Student Information System (KSIS), known as Infinite Campus (IC), provides data for many purposes, including policy making, budgetary planning and educational program management and improvement. The KSIS enterprise system supports the state's 175 school districts (173 local school districts, plus Kentucky School for the Blind and Kentucky School for the Deaf) by providing a secure and seamless integration of data collection needed by school districts and the KDE.

The authoritative source for student data is IC. IC includes student demographics, attendance, behavior, health, grades, grade point average (GPA), graduate courses and teacher-student class rosters. It includes program participation for special education, gifted and talented, Title I, Title III, Family Resource and Youth Services Centers, free and reduced meal status, preschool programs and migrant programs. It also includes information on schools, districts, superintendents, principals and teachers. Additional information regarding the KSIS is located on the KDE webpage at:

<http://education.ky.gov/districts/tech/sis/Pages/default.aspx>

Attachments

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No APR attachments found.		

Professional Development System:

The mechanisms the State has in place to ensure that service providers have the skills to effectively provide services that improve results for students with disabilities.

The Kentucky Board of Education defines Professional Learning at 704 KAR 3:035 as a comprehensive, sustained, and intensive approach to increase student achievement, that strengthens and improves educators' effectiveness in meeting individual, team, school, school district and state goals.

Kentucky has professional learning standards to support the preparation of Kentucky's students for college and careers. To do so requires an effective and continuously improving education system and workforce. To achieve this, Kentucky is establishing a comprehensive system of professional learning for its education workforce. Guidance was created by the KDE for personnel providing training and development. The guidance highlights the regulatory definition of professional learning, as well as Kentucky's Professional Learning Standards. Additional information is located on the KDE webpage at:

<http://education.ky.gov/teachers/PD/Pages/default.aspx>

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-year grant that began its work in 2012 The long-term goal of KDE's SPDG is to improve outcomes for students with disabilities by providing evidence-based practices and resources to Kentucky's teachers of students with disabilities through its partnerships with the University of Louisville and the University of Kentucky.

The five outcomes targeted by KDE in the 2012 SPDG were to:

- Better prepare all students with disabilities to reach proficiency and graduate from high school ready for college and careers through increased academic (reading and math) achievement and closing existing achievement gaps.
- Improving post-secondary outcomes for Kentucky's students with low incidence disabilities.
- Building the instructional capacity of Kentucky's teachers to increase academic achievement for students with low incidence disabilities.
- Improving communication and educational services to students with low incidence disabilities.
- Sustaining project efforts after the life of the SPDG.

In addition to the universities with initiatives that support the grant's five outcomes, KDE also partners with Kentucky's Parent Training and Information Center (PtI), a consortium of university professors who train students in Kentucky universities' low incidence programs and an outside evaluator.

Additional information about Kentucky's SPDG is located at:

<https://www.hdi.uky.edu/spdg>

<http://education.ky.gov/school/stratclsgap/instruction/Pages/CT4GC.aspx>

<http://louisville.edu/education/splash>

The RTCs also provide a range of services for the early childhood community. This includes regional trainings/workshops, on-site consultations, a lending library of materials and annual statewide and regional collaborative institutes. Additional information is located on the KDE webpage at:

<http://education.ky.gov/curriculum/conpro/prim-pre/Pages/Early-Childhood-Regional-Training-Centers.aspx>

The Early Learning Leadership Networks (ELLNS) focus on the dissemination and implementation of Kentucky's definition for school readiness, the alignment of Kentucky Early Childhood Standards and KAS for improved teaching and learning, as well as leadership and commitment to the implementation of a common kindergarten entry assessment. Additional information is located on the KDE webpage at:

[http://education.ky.gov/curriculum/conpro/prim-pre/Pages/Early-Learning-Leadership-Networks-\(ELLNs\).aspx](http://education.ky.gov/curriculum/conpro/prim-pre/Pages/Early-Learning-Leadership-Networks-(ELLNs).aspx)

Each cooperative includes a special education division which provides technical assistance, trainings, and professional learning as needed by their school districts. Additional information is located on the KDE webpage at:

<http://education.ky.gov/comm/about/Pages/Kentucky-Education-and-Special-Education-Cooperatives.aspx>

The Continuous Instructional Improvement Technology System (CIITS) provides Kentucky public school educators with resources needed to carry out highly-effective teaching and learning in every classroom in Kentucky. In CIITS, teachers are able to access Kentucky Academic Standards that are directly linked and aligned to high-quality, multi-media, instructional resources. CIITS contains a lesson planning tool and scheduler to help teachers manage standards-based instruction in their classrooms. Teachers may also share instructional resources they design through CIITS. Teachers may create formative assessments based on particular standards with the help of a test item bank. Additional information is located on the KDE webpage at:

<http://education.ky.gov/districts/tech/ciits/Pages/Continuous-Instructional-Improvement-Technology-System.aspx>

The ultimate goal of the KDE is for all students, including students with disabilities, to reach proficiency and graduate from high school ready for college and careers- whether through postsecondary education, vocational training, integrated employment, continuing and adult education, adult services, independent living or community participation.

Attachments

File Name

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Uploaded Date

No APR attachments found.

Stakeholder Involvement: apply this to all Part B results indicators

The mechanism for soliciting broad stakeholder input on targets in the SPP, including revisions to targets.

The KDE values shareholder input on targets and the revision of targets for the SPP/APR. The State Advisory Panel for Exceptional Children (SAPEC) provides policy guidance to the KDE with respect to special education and related services for children with disabilities in Kentucky. The SAPEC consists

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of members appointed by the Governor. It includes of a variety of individuals and agencies with interests in students with disabilities. Members are parents of students with disabilities, individuals with disabilities, teachers, representatives of Institutions of Higher Education that prepare special education and related services personnel, state and local education officials, administrators of programs for students with disabilities and outside agency representatives. The public is invited to participate in forums when the SAPEC has its quarterly meetings across the state.

The SAPEC has provided feedback to the KDE when setting targets for SPP "outcome indicators" since the SPP was first required by OSEP in 2005. Since that time, reviewing and analyzing trends from historical data has assisted the SAPEC in determining trajectories for future SPP targets.

Additional information on the SAPEC is located on the KDE webpage at the following link:

[http://education.ky.gov/CommOfEd/adv/Pages/State-Advisory-Panel-on-Exceptional-Children-\(SAPEC\).aspx](http://education.ky.gov/CommOfEd/adv/Pages/State-Advisory-Panel-on-Exceptional-Children-(SAPEC).aspx)

Attachments

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No APR attachments found.		

Reporting to the Public:

How and where the State reported to the public on the FFY 2014 performance of each LEA located in the State on the targets in the SPP/APR as soon as practicable, but no later than 120 days following the State's submission of its FFY 2014 APR, as required by 34 CFR §300.602(b)(1)(i)(A); and a description of where, on its Web site, a complete copy of the State's SPP, including any revision if the State has revised the SPP that it submitted with its FFY 2014 APR in 2016, is available.

The KDE publically reports the performance of local districts on the SPP/APR on the KDE webpage. The following link provides information regarding the public reporting of Section 618 data, the SPP/APR and information regarding Kentucky's IDEA Part B State Application. The information is located on the KDE webpage at the following link:

<http://education.ky.gov/specialed/excep/IDEA/Pages/Public-Reporting-of-IDEA-B-Data.aspx>

Attachments

File Name	Uploaded By	Uploaded Date
No APR attachments found.		

Actions required in FFY 2014 response

OSEP Response

On July 1, 2016, OSEP placed a special condition on Kentucky's FFY 2016 IDEA Part B grant award. Specifically, OSEP placed a special condition on Kentucky's FFY 2016 IDEA Part B grant award because of Kentucky's failure to conduct a fully operational alternate assessment in science for students with the most significant cognitive disabilities that was aligned with Kentucky's standards during the 2014-2015 and 2015-2016 school years.

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 1: Graduation**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of youth with IEPs graduating from high school with a regular diploma. (20 U.S.C. 1416 (a)(3)(A))

Historical Data

Baseline Data: 2011

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≥			66.70%	71.30%	75.90%	80.50%	85.10%	85.10%	85.10%	74.30%	76.90%
Data		63.90%	64.30%	67.34%	72.07%	72.79%	74.19%	73.21%	73.21%	74.27%	70.75%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target ≥	79.60%	79.60%	79.60%	79.60%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to meet with the SAPEC to ask for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on KDE's progress toward meeting its SPP targets.

The KDE consulted with the SAPEC three times in setting new targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist KDE in setting SPP targets from FFY 13 through FFY 18.

For Indicator 1, KDE set targets based upon the Cohort Graduation Rate established in the KDE's Elementary and Secondary Education Act (ESEA) Waiver but consulted with the SAPEC in aligning the SPP targets with the ESEA Waiver.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2014-15 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec C151; Data group 696)	10/4/2016	Number of youth with IEPs graduating with a regular diploma	2,088	
SY 2014-15 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec C151; Data group 696)	10/4/2016	Number of youth with IEPs eligible to graduate	3,164	null
SY 2014-15 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec C150; Data group 695)	10/4/2016	2014-15 Regulatory four-year adjusted-cohort graduation rate table	65.99%	Calculate <input type="checkbox"/>

FFY 2015 SPP/APR Data

Number of youth with IEPs in the current year's adjusted cohort graduating with a regular diploma	Number of youth with IEPs in the current year's adjusted cohort eligible to graduate	FFY 2014 Data	FFY 2015 Target	FFY 2015 Data
2,088	3,164	70.75%	79.60%	65.99%

Explanation of Slippage

Kentucky experienced slippage of 4.76% in its graduation rate. Kentucky's FFY 2015 graduation rate data (using data from the 2014-15 school year) was 65.99%, which was a decrease from the FFY 2014 graduation rate data of 70.75%

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KDE's explanation of its slippage in graduation rate is based upon a change in the state's compulsory attendance law.

Kentucky recently changed its compulsory school attendance law, which became mandatory for the 2015-2016 school year. The law increased the age for compulsory school attendance from 16 years to 18 years. KDE believes students with disabilities, who were experiencing barriers to graduation and were not yet 18 years old, opted to forego graduation during the 2014-15 school year, prior to the law going into effect. (The FFY 2015 graduation rate data is taken from the 2014-15 school year.)

The KDE is hampered in determining a root cause for the drop in graduation rate, since the reasons for slippage are discoverable at the district level. To obtain district-level analysis, KDE will include graduation rate as part of Kentucky's District Determinations for the upcoming year. Districts that do not meet the state graduation rate target will be required to provide KDE with an analysis of the reasons they did not meet the target as part of the District Determinations process. The KDE will then review the analyses and develop activities to reverse its slippage in graduation rate.

Graduation Conditions Field

Provide the four-year graduation cohort rate. The four-year graduation rate follows a cohort, or a group of students, who begin as first-time 9th graders in a particular school year and who graduate with a regular high school diploma in four years or less. An extended-year graduation rate follows the same cohort of students for an additional year or years. The cohort is "adjusted" by adding any students transferring into the cohort and by subtracting any students who transfer out, emigrate to another country, or die during the years covered by the rate.

Under 34 C.F.R. §200.19(b)(1)(iv), a "regular high school diploma" means the standard high school diploma awarded to students in a State that is fully aligned with the State's academic content standards and does not include a GED credential, certificate of attendance, or any alternative award. The term "regular high school diploma" also includes a "higher diploma" that is awarded to students who complete requirements above and beyond what is required for a regular diploma.

The four-year graduation cohort rate for FFY 2015 is 65.99%.

The four-year graduation rate follows a cohort, or a group of students, who begin as first-time ninth graders in a particular school year and who graduate with a regular high school diploma in four years or less. An extended-year graduation rate follows the same cohort of students for an additional year or years. The cohort is "adjusted" by adding any students transferring into the cohort and by subtracting any students who transfer out, emigrate to another country, or die during the years covered by the rate. FFY 2014 Part B State Performance Plan (SPP)/Annual Performance Report (APR) 7/5/2016 Page 11 of 90 under 34 C.F.R. Section 200.19(b)(1)(iv), a "regular high school diploma" means the standard high school diploma awarded to students in a State that is fully aligned with the State's academic content standards. It does not include a GED credential, certificate of attendance or any alternative award. The term "regular high school diploma" also includes a "higher diploma" that is awarded to students who complete requirements above and beyond what is required for a regular diploma. Kentucky schools must provide students with disabilities the opportunity and necessary instructional supports and accommodations to progress through a course of study leading to a diploma. Students with disabilities who earn the required high school credits through successful completion of content area and elective course work are awarded a regular diploma. The conditions that students with IEPs must meet in order to graduate with a regular diploma are the same as the conditions of students without disabilities. The KDE identifies the minimum credits required for graduation. School districts set their local requirements in their district graduation policy (704 KAR 3:305).

Actions required in FFY 2014 response

none

OSEP Response

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Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 2: Drop Out**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of youth with IEPs dropping out of high school. (20 U.S.C. 1416 (a)(3)(A))

Historical Data

Baseline Data: 2011

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≤			5.08%	4.60%	3.84%	2.83%	2.71%	2.19%	2.19%	2.71%	2.51%
Data		5.48%	5.00%	4.24%	3.23%	3.10%	2.59%	2.71%	2.71%	2.70%	3.00%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target ≤	2.31%	2.11%	1.91%	1.71%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13 - FFY 18.

The KDE consults with the SAPEC on an annual basis regarding progress toward meeting the SPP targets. For Indicator 2, the KDE aligned with its Elementary and Secondary Education Act (ESEA) Waiver and set its targets based upon the trajectories established in the KDE's Strategic Delivery Plans. The KDE consulted with the SAPEC in aligning to the ESEA waiver and in using KDE trajectories in establishing targets.

FFY 2015 SPP/APR Data

Number of youth with IEPs who exited special education due to dropping out	Option 1: Numbers of students with IEPs ages 14 - 21.	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
674	24,468	3.00%	2.31%	2.75%

Use a different calculation methodology

- Change numerator description in data table
- Change denominator description in data table

Please explain the methodology used to calculate the numbers entered above.

KDE chose to use Measurement Option 2 to remain consistent with previous years' data.

In reviewing the drop-out rate data, the current data manager discovered an error in the FFY 2014 data. The previous data manager made errors in following up with districts and cleaning the data. The current data manager discovered the data error and has since corrected it.

Provide additional information about this indicator (optional)

Due to an issue within GRADS360 platform, KDE has discovered sections of Indicator 2 are now missing. KDE is using this section to insert the information that has been deleted.

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Kentucky's targets for Indicator 2 may be found on page 13 of the FFY 2014 APR.

<http://education.ky.gov/specialed/excep/IDEA/Pages/Public-Reporting-of-IDEA-B-Data.aspx>

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

The KDE consults with the SAPEC on an annual basis regarding progress toward meeting the SPP targets. For Indicator 2, the KDE aligned with its Elementary and Secondary Education Act (ESEA) Waiver and set its targets based upon the trajectories established in the KDE's Strategic Delivery Plans. The KDE consulted with the SAPEC in aligning to the ESEA waiver and in using KDE trajectories in establishing targets.

Actions required in FFY 2014 response

none

OSEP Response

The State clarified, in its final submission, that is reporting data using the same data source and measurement that the State used to report in its FFY 2010 APR that was submitted on February 1, 2012 (Option 2). As required by the measurement table, when using Option 2, the State must provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs and why there is a difference.

Required Actions

In FFY 2016 SPP/APR, the State must provide a narrative that describes what counts as dropping out for all youth and, if different, what counts as dropping out for youth with IEPs and why there is a difference.

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 3A: Districts Meeting AYP/AMO for Disability Subgroup**

Monitoring Priority: FAPE in the LRE

Results indicator: Participation and performance of children with IEPs on Statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP/AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Historical Data

Baseline Data: 2013

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≥			45.00%	47.00%	50.00%	52.00%	54.00%	54.00%	54.00%	14.49%	23.04%
Data		45.50%	45.50%	47.00%	58.62%	63.79%	57.47%	21.20%	21.20%	14.49%	56.38%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target ≥	31.59%	40.14%	48.69%	57.25%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

FFY 2015 SPP/APR Data

Does your State have an ESEA Flexibility Waiver of determining AYP?

Yes No

Are you reporting AYP or AMO?

AYP AMO

Number of districts in the State	Number of districts that met the minimum "n" size	Number of districts that meet the minimum "n" size AND met AMO	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
175	null	null	56.38%	31.59%	

Actions required in FFY 2014 response

none

OSEP Response

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FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 3B: Participation for Students with IEPs

Monitoring Priority: FAPE in the LRE

Results indicator: Participation and performance of children with IEPs on Statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP/AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Historical Data

	Group Name	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Reading	A Grade 3	2013	Target ≥										99.00%	99.00%	
			Data											99.79%	99.95%
	B Grade 4	2013	Target ≥											99.00%	99.00%
			Data											99.77%	99.99%
	C Grade 5	2013	Target ≥											99.00%	99.00%
			Data											99.70%	99.94%
	D Grade 6	2013	Target ≥											99.00%	99.00%
			Data											99.66%	99.89%
	E Grade 7	2013	Target ≥											99.00%	99.00%
			Data											99.69%	99.91%
	F Grade 8	2013	Target ≥											99.00%	99.00%
			Data											99.64%	99.79%
	G HS	2013	Target ≥											98.00%	98.00%
			Data											98.58%	98.32%
Math	A Grade 3	2013	Target ≥										99.00%	99.00%	
			Data											99.81%	99.95%
	B Grade 4	2013	Target ≥											99.00%	99.00%
			Data											99.77%	99.99%
	C Grade 5	2013	Target ≥											99.00%	99.00%
			Data											99.69%	99.94%
	D Grade 6	2013	Target ≥											99.00%	99.00%
			Data											99.64%	99.89%
	E Grade 7	2013	Target ≥											99.00%	99.00%
			Data											99.63%	99.91%
	F Grade 8	2013	Target ≥											99.00%	99.00%
			Data											99.60%	99.79%
	G HS	2013	Target ≥											98.00%	98.00%
			Data											98.18%	98.44%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

	FFY	2015	2016	2017	2018
Reading	A ≥ Grade 3	99.00%	99.00%	99.00%	99.00%
	B ≥ Grade 4	99.00%	99.00%	99.00%	99.00%
	C ≥ Grade 5	99.00%	99.00%	99.00%	99.00%
	D ≥ Grade 6	99.00%	99.00%	99.00%	99.00%
	E ≥ Grade 7	99.00%	99.00%	99.00%	99.00%
	F ≥ Grade 8	99.00%	99.00%	99.00%	99.00%

Key:

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

	FFY	2015	2016	2017	2018
	G ≥ HS	98.00%	98.00%	98.00%	98.00%
Math	A ≥ Grade 3	99.00%	99.00%	99.00%	99.00%
	B ≥ Grade 4	99.00%	99.00%	99.00%	99.00%
	C ≥ Grade 5	99.00%	99.00%	99.00%	99.00%
	D ≥ Grade 6	99.00%	99.00%	99.00%	99.00%
	E ≥ Grade 7	99.00%	99.00%	99.00%	99.00%
	F ≥ Grade 8	99.00%	99.00%	99.00%	99.00%
	G ≥ HS	98.00%	98.00%	98.00%	98.00%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for the FFY 13 - FFY 18.

Kentucky has revised Indicator 3B targets, baseline, and method of reporting to align with the Kentucky Unbridled Learning Assessment and Accountability System. The SAPEC provided feedback on the approval of the alignment of the participation rate for students with disabilities with the Elementary and Secondary Education Act (ESEA) Waiver and all students in Kentucky.

FFY 2015 SPP/APR Data: Reading Assessment

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A Grade 3	7,875	7,869	99.95%	99.00%	99.92%
B Grade 4	7,233	7,230	99.99%	99.00%	99.96%
C Grade 5	6,649	6,648	99.94%	99.00%	99.98%
D Grade 6	6,136	6,132	99.89%	99.00%	99.93%
E Grade 7	5,927	5,919	99.91%	99.00%	99.87%
F Grade 8	5,414	5,404	99.79%	99.00%	99.82%
G HS	5,089	5,041	98.32%	98.00%	99.06%

FFY 2015 SPP/APR Data: Math Assessment

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A Grade 3	7,875	7,869	99.95%	99.00%	99.92%
B Grade 4	7,233	7,230	99.99%	99.00%	99.96%
C Grade 5	6,649	6,648	99.94%	99.00%	99.98%

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
D Grade 6	6,135	6,132	99.89%	99.00%	99.95%
E Grade 7	5,926	5,919	99.91%	99.00%	99.88%
F Grade 8	5,414	5,404	99.79%	99.00%	99.82%
G HS	3,755	3,719	98.44%	98.00%	99.04%

Public Reporting Information

Provide links to the page(s) where you provide public reports of assessment results.

Kentucky School Report Card:

<http://applications.education.ky.gov/SRC/>

Actions required in FFY 2014 response

none

OSEP Response**Required Actions**

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 3C: Proficiency for Students with IEPs**

Monitoring Priority: FAPE in the LRE

Results indicator: Participation and performance of children with IEPs on Statewide assessments:

- A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP/AMO targets for the disability subgroup.
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.

(20 U.S.C. 1416 (a)(3)(A))

Historical Data

	Group Name	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	
Reading	A Grade 3	2013	Target ≥										41.40%	48.80%	
			Data											35.28%	34.38%
	B Grade 4	2013	Target ≥										41.40%	48.80%	
			Data											33.28%	31.64%
	C Grade 5	2013	Target ≥										41.40%	48.80%	
			Data											31.53%	30.21%
	D Grade 6	2013	Target ≥											33.50%	41.80%
			Data											23.63%	23.55%
	E Grade 7	2013	Target ≥											33.50%	41.80%
			Data											24.70%	21.29%
	F Grade 8	2013	Target ≥											33.50%	41.80%
			Data											18.98%	18.33%
	G HS	2013	Target ≥											29.00%	37.90%
			Data											15.48%	16.45%
Math	A Grade 3	2013	Target ≥										35.90%	43.90%	
			Data											26.22%	25.95%
	B Grade 4	2013	Target ≥										35.90%	43.90%	
			Data											27.95%	24.82%
	C Grade 5	2013	Target ≥										35.90%	43.90%	
			Data											26.75%	23.62%
	D Grade 6	2013	Target ≥											32.10%	40.60%
			Data											19.36%	16.94%
	E Grade 7	2013	Target ≥											32.10%	40.60%
			Data											17.29%	14.51%
	F Grade 8	2013	Target ≥											32.10%	40.60%
			Data											15.41%	14.93%
	G HS	2013	Target ≥											28.90%	37.80%
			Data											12.70%	13.92%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

	FFY	2015	2016	2017	2018
Reading	A ≥ Grade 3	56.10%	63.40%	70.70%	78.00%
	B ≥ Grade 4	56.10%	63.40%	70.70%	78.00%
	C ≥ Grade 5	56.10%	63.40%	70.70%	78.00%
	D ≥ Grade 6	50.10%	58.50%	66.80%	75.10%
	E ≥ Grade 7	50.10%	58.50%	66.80%	75.10%
	F ≥ Grade 8	50.10%	58.50%	66.80%	75.10%

Key:

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

	FFY	2015	2016	2017	2018
	G ≥ HS	45.80%	55.70%	63.70%	71.70%
Math	A ≥ Grade 3	51.90%	60.00%	68.00%	76.00%
	B ≥ Grade 4	51.90%	60.00%	68.00%	76.00%
	C ≥ Grade 5	51.90%	60.00%	68.00%	76.00%
	D ≥ Grade 6	49.10%	57.60%	66.10%	74.60%
	E ≥ Grade 7	49.10%	57.60%	66.10%	74.60%
	F ≥ Grade 8	49.10%	57.60%	66.10%	74.60%
	G ≥ HS	46.10%	55.60%	63.60%	71.60%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13 - FFY 18.

FFY 2015 SPP/APR Data: Reading Assessment

Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A Grade 3	7,869	2,833	34.38%	56.10%	36.00%
B Grade 4	7,230	2,624	31.64%	56.10%	36.29%
C Grade 5	6,648	2,234	30.21%	56.10%	33.60%
D Grade 6	6,132	1,545	23.55%	50.10%	25.20%
E Grade 7	5,919	1,498	21.29%	50.10%	25.31%
F Grade 8	5,404	1,102	18.33%	50.10%	20.39%
G HS	5,041	736	16.45%	45.80%	14.60%

Explanation of Group G Slippage

The Kentucky Academic Standards (KAS) for English Language Arts (ELA) and Mathematics were implemented statewide in the 2011-12 school year. At that time, the statewide assessment was aligned to the KAS. KDE now has five years of data. The attachment of data trend lines shows consistency in the scores between students with disabilities and all students in the state.

The KAS are designed to provide students with instruction concentrated at a deeper understanding in the general education curriculum. The KAS build on the understanding of key components each year. As reading tasks become more complex in the later grades, this deep understanding is fundamental to students' success.

As with any new implementation, there is a transition period. Students who began with KAS in Kindergarten in 2011-12 were in grade four during the 2015-16 school year. Students in grades five and above did not have the full implementation of KAS through all grade levels. Therefore, students currently

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

tested in high school were unable to access the KAS curriculum until fifth grade, consequently creating gaps in the content continuum.

Added to the lack of KAS implementation in the early grades for these older students is the learning curve for teachers in implementing instruction and interventions aligned to KAS. As teacher pedagogy increases, the level of student attainment should increase.

The State Systemic Improvement Plan (SSIP) focuses on implementing usable interventions implemented with fidelity. This will not only close learning gaps for students but will increase teacher capacity to provide quality instruction. Although the SSIP is focused on math interventions, the tools and coaching teachers are receiving will be used in all content areas.

FFY 2015 SPP/APR Data: Math Assessment

Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A Grade 3	7,869	2,140	25.95%	51.90%	27.20%
B Grade 4	7,230	2,118	24.82%	51.90%	29.29%
C Grade 5	6,648	1,875	23.62%	51.90%	28.20%
D Grade 6	6,132	1,245	16.94%	49.10%	20.30%
E Grade 7	5,919	1,054	14.51%	49.10%	17.81%
F Grade 8	5,404	838	14.93%	49.10%	15.51%
G HS	3,719	536	13.92%	46.10%	14.41%

Public Reporting Information

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Actions required in FFY 2014 response

none

OSEP Response

Required Actions

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Indicator 4A: Suspension/Expulsion

Monitoring Priority: FAPE in the LRE

Results indicator: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
 B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Historical Data

Baseline Data: 2009

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≤			9.04%	7.95%	6.82%	5.68%	4.55%	3.41%	2.27%	2.29%	2.29%
Data		11.23%	9.04%	7.38%	7.39%	7.39%	0.56%	0.56%	0.56%	0.57%	0%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target ≤	1.71%	1.71%	1.14%	1.14%

Key:

Targets: Description of Stakeholder Input

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The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13 - FFY 18.

FFY 2015 SPP/APR Data

Please indicate the type of denominator provided

- Number of districts in the State
 Number of districts that met the State's minimum n-size

Number of districts that have a significant discrepancy	Number of districts that met the State's minimum n-size	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
1	172	0%	1.71%	0.58%

Choose one of the following comparison methodologies to determine whether significant discrepancies are occurring (34 CFR §300.170(a)):

- Compare the rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs among LEAs in the State
 The rates of suspensions and expulsions of greater than 10 days in a school year for children with IEPs in each LEA compared to the rates for nondisabled children in the same LEA

State's definition of "significant discrepancy" and methodology

A Kentucky district is found to have "significant discrepancy" under Indicator 4A if the following two criteria are met:

- The district suspends/expels students with disabilities for greater than 10 days during a school year at a rate that is three times or greater than the statewide static rate of 0.2% for these types of removals during that year; and
- The district has at least five students with disabilities who are subject to out-of-school removals for greater than 10 days

The KDE has a two-part test for determining significant discrepancy under Indicator 4A. First, KDE determines if a district suspends/expels students with disabilities more than 10 days at a rate three times greater than the statewide static rate of 0.2% for these types of removals. If a district meets the first criteria, KDE then determines if the second criteria - suspending/expelling more than five students with disabilities over 10 days - is met. If both parts of

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

the criteria are met, the district has met the significant discrepancy standard under Indicator 4A

The KDE consulted with the SAPEC this year to set a statewide *static* rate for out-of-school removals greater than 10 days for students with disabilities, using data obtained through the Kentucky Student Information System (KSIS). The rate was calculated based on a six-year history of statewide rates.

Prior to the change in the definition of "significant discrepancy," many small Kentucky districts were not examined for significant discrepancy under Indicator 4A, due to the calculation methods under the former definition for significant discrepancy. The KDE consulted with the SAPEC to set a static rate and lower the 'n' size for this indicator. A static rate will allow districts to have an established goal regarding suspension and expulsion of students with disabilities.

The KDE will gradually lower the 'n' size of Indicator 4A from the previous calculation of 10 for FY 14 to zero over the course of three years. This will allow the KDE to consider the suspension/expulsion rates of smaller districts, while allowing the KDE to first focus on districts with the largest numbers of students with disabilities removed for greater than 10 days.

The significant discrepancy rate is calculated for each school district based on its local discipline data and number of students with IEPs. It is calculated on the total number of district students with disabilities subject to out-of-school removals greater than 10 days, divided by the total number of district students with disabilities.

In summary, Kentucky has a two part definition for significant discrepancy for Indicator 4A:

- The district has an out-of school removal rate for students with disabilities that is three times greater than a specified comparison rate (the statewide static rate of 0.2%); **and**
- The district suspends/expels more than five students with disabilities for greater than ten days.

'N' size: Kentucky uses a minimum 'n' size of 50 or more students with disabilities enrolled in the district. Three districts were excluded from the calculation, based on the 'n' size requirement.

For FFY 2015, using 2014-15 data, 11 districts of 175 had discrepancies that were three times or more than the state rate and met the first of two criteria for significant discrepancy. Of those 11, one district also met the second criteria for significant discrepancy – that of suspending/ expelling five or more students with disabilities for greater than ten days. As a result, only one Kentucky district met both criteria for determining significant discrepancy. The district's policies, procedures and practices were reviewed and determined by the KDE to be non-compliant with the IDEA. The KDE implemented a corrective action plan with the district to correct the non-compliance.

The *static* state average comparison rate set for Kentucky is very low at 0.2%. Of the 11 districts exceeding the state rate:

- three districts suspended only one student for more than 10 days in the school year
- six districts suspended 2 students for more than 10 days in the school year
- one district suspended three students for more than 10 days in the school year
- one district suspended six students for more than 10 days in the school year

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

FFY 2014 Identification of Noncompliance

Review of Policies, Procedures, and Practices (completed in FFY 2015 using 2014-2015 data)

Description of review

Significant discrepancy in the rate of long-term removals of students with disabilities was identified for one district that met the state's definition. Once the significant discrepancy was identified, an onsite visit was conducted by the KDE to review the policies, procedures and practices relating to long-term removals of students with disabilities.

Individual students who were suspended or expelled for greater than 10 days were identified by the KDE. Once identified, the KDE reviewed IEP team documentation from FY14 including IEPs, conference summaries, manifestation determinations, functional behavior analyses (FBAs), behavior intervention plans (BIPs) and behavior detail reports. All students suspended or expelled for greater than 10 school days were reviewed by the KDE. Additionally, the KDE reviewed the policies and procedures of the district and interviewed the district's Director of Special Education.

The district's policies and procedures manual was found by the KDE to be in compliance with the IDEA. However, the review of student records and interviews confirmed district-wide practices were out of compliance with the IDEA, particularly in the areas of least restrictive environment and the documentation of manifestation determination meetings. Both student-specific and systemic noncompliance with the IDEA were identified by the KDE.

The KDE identified non-compliance in the following areas:

- IEP development and implementation
- Use of positive behavioral interventions and supports

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

- procedural safeguards (manifestation determination, provision of educational services after 10 days of suspension)
- least restrictive environment

Upon review of current data, it was found that student-specific noncompliance had been subsequently corrected by the district.

- The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)
- The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b). If YES, select one of the following:
 - The State DID ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Once the noncompliance was identified by the KDE, KDE issued a written report to the district. The report included identification of the noncompliance, as well as a corrective action plan (CAP). The district was required to complete the CAP to demonstrate its compliance with IDEA. As part of the CAP, the district was notified of the one-year timeline in which to correct the noncompliance, as set forth by OSEP.

The KDE identified all students with disabilities in the district who were subject to out-of-school removals greater than 10 days. The KDE reviewed all identified student files and found the district had subsequently corrected the non-compliance. As such, no further corrective action was required by the district.

The KDE reported the district's percentage level of noncompliance (5.12%) within the report issued to the district by the KDE. The root cause of the noncompliance was identified by the KDE and addressed in the CAP issued to the district. As part of the CAP, the district was also required to change their practices that resulted in the noncompliance. STOP This will be corrected by the LEA identifying high suspension and expulsion schools/students and conducting a root-cause analysis. Schools with high rates of suspension or expulsion of students with disabilities are required to address this in their school plan.

Additionally, both the LEA and the KDE will review updated student files and data to ensure the LEA's program is correctly implementing specific regulatory requirements. The LEA is required to submit all current files of students who are suspended or expelled for greater than 10 days to the KDE for review. The LEA is also required to conduct regular data reviews with all shareholders to ensure compliance with the IDEA.

- The State did NOT ensure that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

OSEP Response

The State must report, in the FFY 2016 SPP/APR, on the correction of noncompliance that the State identified in FFY 2015 as a result of the review it conducted pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that each district with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 4B: Suspension/Expulsion**

Monitoring Priority: FAPE in the LRE

Compliance indicator: Rates of suspension and expulsion:

- A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and
- B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.

(20 U.S.C. 1416(a)(3)(A); 1412(a)(22))

Historical Data

Baseline Data: 2009

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			0%	0%	0%	0%	0%	0%	0%	0%	0%
Data						0.60%	0.56%	0.56%	0.56%	0.57%	0%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	0%	0%	0%	0%

FFY 2015 SPP/APR Data

Please indicate the type of denominator provided

- Number of districts in the State
- Number of districts that met the State's minimum n-size

Number of districts that have a significant discrepancy, by race or ethnicity	Number of those districts that have policies, procedures, or practices that contribute to the significant discrepancy and do not comply with requirements	Number of districts in the State	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
1	1	175	0%	0%	0.57%

Explanation of Slippage

The Indicator 4B slippage is due to a change in the definition of "significant discrepancy," that now allows KDE to review suspensions and expulsions in small districts within the state. Prior to the change in definition, the district found to have significant discrepancy in FFY 2015 would not have been considered for review, due to its small size. An explanation of KDE's actions in changing this definition follows:

The KDE became aware, through a review of original data, that some Kentucky districts had a notable number of out-of-school removals of greater than 10 days in a school year for students with disabilities. In the past, due to the previous definition of "significant discrepancy," small districts did not have their policies, procedures and practices reviewed to determine if the districts had significant discrepancy under Indicators 4A and 4B,

As a result, the KDE consulted with the SAPEC to reconsider how data was calculated, to allow *all* districts to be reviewed for significant discrepancy.

The consultation resulted in changes to 4A and 4B data collection procedures for FY 2015. The KDE determined, along with its shareholders, to set a *static* statewide rate and to gradually reduce the 'n' size requirement over the course of three years. Gradually reducing the 'n' size" will allow the KDE to eventually review all districts, while focusing first on districts needing the most support.

Changes to the method of data collection resulted in a higher number of districts being reviewed in FFY 2015 to determine if they met the criteria for significant discrepancy.

The KDE conducted an onsite visit as part of the review of policies, procedures and practices for the one district identified as having a significant discrepancy. Previously, the district had never been reviewed for compliance with Indicator 4A or 4B because of its small size. The review revealed noncompliant practices which lead to long-term suspension and expulsions of students with disabilities in the district. The review also revealed the district did not properly implement manifestation determination requirements.

The KDE issued a corrective action plan (CAP) to the district to correct the noncompliance. The CAP included training requirements, revision of district practices, root-cause analysis determinations and a KDE review of all manifestation determination meetings conducted by the district during the pendency of the CAP.

For the Measurement, a Kentucky district is found to have a significant discrepancy under Indicator 4B if all of the following criteria are met:

- A. The district suspends/expels students with disabilities in any racial or ethnic category for greater than ten days during a school year at a rate that is three times or greater than the statewide *static* rate for these types of removals for all Kentucky students with disabilities during that school year; and
- B. The district has at least 10 students with disabilities in that racial or ethnic category; and
- C. The district has at least five students with disabilities in that racial or ethnic category who are subject to out-of-school removals for greater than 10 days in the school year.

The KDE consulted with SAPEC this year to set a statewide *static* rate of out-of-school removals greater than 10 days for students with disabilities, using data obtained through the Kentucky Student Information System (KSIS). This rate was calculated based on a six-year history of statewide rates. A static rate will allow districts to have a goal in mind regarding suspension and expulsion of students with disabilities.

The statewide *static* rate of suspensions and expulsions greater than 10 days in a year of Kentucky students with IEPs is currently very low, at 0.2%. Historically, many small Kentucky districts were not examined for significant discrepancy, due to the former definition of significant discrepancy and methodology used to calculate it. The KDE consulted with SAPEC to set a static rate and lower the 'n' size of the total number of students with IEPs suspended/expelled for more than 10 day from 10 students to five. The KDE will gradually lower the 'n' size from last year's 10 students removed long term from school, to this year's five students, to zero over the course of three years. This will allow the KDE to review smaller districts, while allowing it to focus first on districts with the most students being suspended or expelled long term from school.

The rate is calculated for each school district in the state, based on its local discipline data and count of students with disabilities. This rate is based on the total number of district students with disabilities subject to out-of-school removals greater than 10 days, divided by the total number of district students with disabilities.

In summary, Kentucky determines a district to have a significant discrepancy for Indicator 4B when its rate of out-of-school removals (greater than ten days a year of students with disabilities) for a specific racial or ethnic category is three times or more the statewide *static* rate for these types of removals. In addition, districts must suspend more than five students with a disability of the specific race/ ethnicity for greater than 10 days to meet the criteria for significant discrepancy *and* have at least 10 students in the special racial /ethnic group with IEPs.

Many districts in Kentucky are very small and rural. KDE's definition of significant discrepancy includes only those districts that have at least 10 students with disabilities in the specific racial/ ethnic category. In districts with small numbers of students with IEPs in specific racial/ ethnic groups, one student in the specific group who is suspended for greater than 10 days may cause the district rate to exceed the state average comparison rate. A small number of students can compromise the validity of risk ratio data and make it difficult to protect the identity of individual students in the process of public reporting, unless a minimum 'n' size is used as a criteria.

If a district is found to have a significant discrepancy in a particular racial or ethnic category, the KDE reviews the district's policies, procedures and practices. The KDE then assesses whether the policies, procedures and practices contributed to the significant discrepancy, by not complying with IDEA requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports (PBIS); and procedural safeguards, such as manifestation determinations.

The following number of districts met the first criteria listed above, by having a discrepancy in a race/ethnicity category that was three or more times the state suspension rate of 0.2% for all Kentucky students with disabilities:

- 10 districts had a significant discrepancy for the "White" category
- Seven districts had a significant discrepancy for the "Black" category
- Zero districts had a significant discrepancy for the "Hispanic" category
- Zero districts had a significant discrepancy for the "Asian" category
- Zero districts had a significant discrepancy for the "Native American" category
- Zero districts had a significant discrepancy for the "Pacific Islander" category
- Two districts had a significant discrepancy for the "Multiple" category

Of the districts listed, only one district met the second criteria required for significant discrepancy- that of having at least five students in the specific race/ethnicity subgroup who were subject to disciplinary removal for greater than ten days in a school year. Therefore, one district in Kentucky met both criteria for determining that a significant discrepancy currently exists in the district for Indicator 4B.

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Review of Policies, Procedures, and Practices (completed in FFY 2015 using 2014-2015 data)

Description of review

Significant discrepancy in the rate of long-term removals of students with disabilities was identified for one LEA which met the state's definition. Once the significant discrepancy was identified, an onsite visit was conducted by the KDE to review the policies, procedures and practices relating to long-term removals of students with disabilities.

The individual students who were suspended or expelled for greater than 10 days were identified by the KDE. Once identified, the KDE reviewed the students' due process folders on IEP team documentation from FY 2014, including IEPs, conference summaries, manifestation determinations, functional behavior analyses (FBA), behavior intervention plans (BIP), and behavior detail reports. All students suspended or expelled for greater than 10 school days were reviewed by the KDE. Additionally, the KDE reviewed the policies and procedures of the district and interviewed the Director of Special Education to determine common practices.

The district's policies and procedures manual was found by the KDE to be in compliance with the IDEA. However, interviews confirmed the systemic practices of the district were out of compliance with the IDEA, particularly related to least restrictive environment and the documentation of manifestation determination meetings. Both student-specific and systemic noncompliance with the IDEA was identified by the KDE.

The KDE identified non-compliance in the following areas:

- IEP development and implementation
- use of positive behavioral interventions and supports
- procedural safeguards (manifestation determination, provision of educational services beyond 10 days of suspension)
- least restrictive environment

Upon review of current data, it was found that student-specific noncompliance had been subsequently corrected by the LEA.

- The State DID NOT identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b)
- The State DID identify noncompliance with Part B requirements as a result of the review required by 34 CFR §300.170(b).

Describe how the State ensured that such policies, procedures, and practices were revised to comply with applicable requirements consistent with OSEP Memorandum 09-02, dated October 17, 2008.

Once the noncompliance was identified by the KDE, a written report was issued to the district. The report included identification of the noncompliance, as well as a corrective action plan (CAP) required to be completed by the district to demonstrate compliance with specific regulatory requirements. As part of the CAP, the district was notified of the one-year deadline to correct their noncompliance, as set forth in OSEP guidance.

The KDE identified all students with disabilities in the racial/ethnic group who were subject to out-of-school removals greater than 10 days and reviewed all identified student files. KDE found the district had subsequently corrected the non-compliance. As such, no further individual student corrective action was required by the district.

The KDE reported the district's percentage level of noncompliance (5.12%) within the report issued to the district by the KDE. The root cause of the noncompliance was identified by the KDE and addressed through the CAP issued to the district. As part of the CAP, the district was also required to change its practices which resulted in the noncompliance. The systemic noncompliance will be corrected by the district identifying high suspension and expulsion schools/students and conducting a root-cause analysis. Schools with high rates of suspension or expulsion of students with disabilities are required to address this in their school plans.

Additionally, both the district and the KDE will review updated student files and data to ensure the district is correctly implementing specific regulatory requirements. The district is required to submit all current files of students who are suspended or expelled for greater than 10 days to the KDE for review. It is also required to conduct regular data reviews with all shareholders to ensure compliance with the IDEA.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
null	null	null	0

OSEP Response

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2015, the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. The State must demonstrate, in the FFY 2016 SPP/APR, that the districts identified with noncompliance in FFY 2015 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data, such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2015.

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 5: Education Environments (children 6-21)**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of children with IEPs aged 6 through 21 served:

- A. Inside the regular class 80% or more of the day;
- B. Inside the regular class less than 40% of the day; and
- C. In separate schools, residential facilities, or homebound/hospital placements.

(20 U.S.C. 1416(a)(3)(A))

Historical Data

	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
A	2005	Target ≥			63.00%	63.50%	64.00%	64.50%	65.00%	65.00%	65.00%	71.80%	71.80%
		Data		64.33%	66.83%	68.69%	69.63%	70.80%	71.37%	71.35%	71.80%	72.31%	73.15%
B	2005	Target ≤			11.50%	11.40%	11.20%	11.10%	11.00%	11.00%	11.00%	8.70%	8.70%
		Data		11.09%	10.25%	9.93%	9.84%	9.52%	9.16%	8.88%	8.73%	8.43%	8.22%
C	2005	Target ≤			2.21%	2.15%	2.12%	2.05%	2.00%	2.00%	2.00%	1.90%	1.90%
		Data		2.21%	2.24%	2.09%	2.09%	1.85%	1.93%	1.93%	1.90%	1.86%	1.66%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target A ≥	71.80%	71.80%	71.80%	71.80%
Target B ≤	8.70%	8.70%	8.70%	8.70%
Target C ≤	1.90%	1.90%	1.90%	1.90%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

The KDE staff and the SPP/APR team discussed targets and analyzed the feedback provided by the SAPEC. The KDE consulted with the SAPEC again in November 2014 and January 2015 to discuss the research gathered, in answering questions asked by the Panel.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	Total number of children with IEPs aged 6 through 21	82,239	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	60,633	null

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Source	Date	Description	Data	Overwrite Data
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	6,807	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	c1. Number of children with IEPs aged 6 through 21 in separate schools	434	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	c2. Number of children with IEPs aged 6 through 21 in residential facilities	345	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/14/2016	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	603	null

FFY 2015 SPP/APR Data

	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	60,633	82,239	73.15%	71.80%	73.73%
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	6,807	82,239	8.22%	8.70%	8.28%
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	1,382	82,239	1.66%	1.90%	1.68%

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 6: Preschool Environments**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of children aged 3 through 5 with IEPs attending a:

- A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and
- B. Separate special education class, separate school or residential facility.

(20 U.S.C. 1416(a)(3)(A))

Historical Data

	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
A	2011	Target ≥									63.30%	63.30%	64.00%
		Data								63.36%	64.94%	65.10%	66.14%
B	2011	Target ≤									6.81%	6.81%	6.00%
		Data								6.81%	5.04%	4.63%	4.14%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target A ≥	64.00%	64.00%	64.00%	64.00%
Target B ≤	6.00%	6.00%	6.00%	6.00%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist the KDE in determining targets for FFY 13- FFY 18.

The SAPEC and the KDE determined that, since data for Indicator 6 was relatively recent and still developing, the data needed to stabilize and be analyzed over a longer period of time. Targets will be reviewed in the future as data is collected and a trajectory of results can be determined,

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/14/2016	Total number of children with IEPs aged 3 through 5	17,044	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/14/2016	a1. Number of children attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	11,335	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/14/2016	b1. Number of children attending separate special education class	693	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/14/2016	b2. Number of children attending separate school	80	null
SY 2015-16 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/14/2016	b3. Number of children attending residential facility	n	null

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
 FFY 2015 SPP/APR Data

	Number of children with IEPs aged 3 through 5 attending	Total number of children with IEPs aged 3 through 5	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	11,335	17,044	66.14%	64.00%	66.50%
B. Separate special education class, separate school or residential facility	774	17,044	4.14%	6.00%	4.54%

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 7: Preschool Outcomes**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of preschool children aged 3 through 5 with IEPs who demonstrate improved:

- A. Positive social-emotional skills (including social relationships);
- B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and
- C. Use of appropriate behaviors to meet their needs.

(20 U.S.C. 1416 (a)(3)(A))

Historical Data

	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
A1	2013	Target ≥						56.00%	72.00%	81.00%	82.00%	49.29%	49.30%
		Data					68.10%	82.10%	84.00%	84.00%	88.00%	49.29%	44.01%
A2	2013	Target ≥						35.00%	50.00%	60.00%	61.00%	39.11%	39.20%
		Data					39.70%	57.80%	68.00%	40.00%	64.00%	39.11%	32.29%
B1	2013	Target ≥						57.00%	64.00%	81.00%	82.00%	67.42%	67.40%
		Data					62.70%	64.70%	87.00%	72.00%	74.00%	67.42%	65.02%
B2	2013	Target ≥						35.00%	48.00%	58.00%	59.00%	39.85%	39.90%
		Data					35.50%	52.60%	72.00%	28.00%	30.00%	39.85%	38.57%
C1	2013	Target ≥						49.00%	70.00%	81.00%	82.00%	50.67%	50.70%
		Data					31.70%	83.90%	86.00%	84.00%	85.00%	50.67%	35.56%
C2	2013	Target ≥						34.00%	50.00%	62.00%	63.00%	35.67%	35.70%
		Data					27.60%	60.90%	70.00%	35.00%	57.00%	35.67%	23.37%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target A1 ≥	49.30%	50.00%	50.00%	50.50%
Target A2 ≥	39.20%	40.00%	40.00%	40.50%
Target B1 ≥	67.40%	68.00%	68.00%	68.50%
Target B2 ≥	39.90%	40.50%	40.50%	41.00%
Target C1 ≥	50.70%	51.50%	51.50%	52.00%
Target C2 ≥	35.70%	36.50%	36.50%	37.00%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new SPP targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist the KDE in determining targets for FFY 13 - FFY 18.

New algorithms were used during FFY 13 to more accurately calculate a child's level of development, which means that, while the scores for FFY 13 are lower, they are more accurate than in previous years. A new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

FFY 2015 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed	5781.00
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FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Outcome A: Positive social-emotional skills (including social relationships)

	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	214.00	
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	2915.00	
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	978.00	
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1094.00	
e. Preschool children who maintained functioning at a level comparable to same-aged peers	580.00	

	Numerator	Denominator	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome A, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. (c+d)/(a+b+c+d)	2072.00	5201.00	44.01%	49.30%	39.84%
A2. The percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program. (d+e)/(a+b+c+d+e)	1674.00	5781.00	32.29%	39.20%	28.96%

Explanation of A1 Slippage

New algorithms were used during FFY 13 to more accurately calculate a child's level of development, which means that, while the scores are lower, they are more accurate than in previous years. In FFY 13, new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

Due to unmet targets for this indicator and having slippage in all areas but one, the KDE will convene a work group, including shareholders. The work group will review data and current preschool initiatives to determine the reasons for slippage and targets not being met. A plan will then be generated to address raising the percent of preschool children who entered or exited the preschool program below age expectations in Outcome A and then substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Explanation of A2 Slippage

New algorithms were used during FFY 13 to more accurately calculate a child's level of development, which means that, while the scores are lower, they are more accurate than in previous years. In FFY 13, new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

Due to unmet targets for this indicator and having slippage in all areas but one, the KDE will convene a work group, including shareholders. The work group will review data and current preschool initiatives to determine the reasons for slippage and targets not met. A plan will then be generated to address raising the percent of preschool children who were functioning within age expectations in Outcome A by the time they turned 6 years of age or exited the program.

Outcome B: Acquisition and use of knowledge and skills (including early language/communication)

	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	104.00	
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	1770.00	
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1787.00	
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1412.00	
e. Preschool children who maintained functioning at a level comparable to same-aged peers	708.00	

	Numerator	Denominator	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
B1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome B, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. (c+d)/(a+b+c+d)	3199.00	5073.00	65.02%	67.40%	63.06%
B2. The percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program. (d+e)/(a+b+c+d+e)	2120.00	5781.00	38.57%	39.90%	36.67%

Explanation of B1 Slippage

New algorithms were used during FFY 13 to more accurately calculate a child's level of development, which means that, while the scores are lower, they are more accurate than in previous years. In FFY 13, new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

Due to unmet targets for this indicator and having slippage in all areas but one, the KDE will convene a work group, including shareholders. The work

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

group will review data and current preschool initiatives to determine the reasons for slippage and targets not met. A plan will then be generated to address raising the percent of preschool children who entered or exited the preschool program below age expectations in Outcome B who then substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Explanation of B2 Slippage

New algorithms were used during FFY 13 to more accurately calculate a child’s level of development, which means that, while the scores are lower, they are more accurate than in previous years. In FFY 13, new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

Due to unmet targets for this indicator and having slippage in all areas but one, the KDE will convene a work group, including shareholders. The work group will review data and current preschool initiatives to determine the reasons for slippage and not meeting targets. A plan will then be generated to address raising the percent of preschool children who were functioning within age expectations in Outcome B by the time they turned 6 years of age or exited the program.

Outcome C: Use of appropriate behaviors to meet their needs

	Number of Children	Percentage of Children
a. Preschool children who did not improve functioning	210.00	
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	3305.00	
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	866.00	
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	928.00	
e. Preschool children who maintained functioning at a level comparable to same-aged peers	472.00	

	Numerator	Denominator	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
C1. Of those preschool children who entered or exited the preschool program below age expectations in Outcome C, the percent who substantially increased their rate of growth by the time they turned 6 years of age or exited the program. $(c+d)/(a+b+c+d)$	1794.00	5309.00	35.56%	50.70%	33.79%
C2. The percent of preschool children who were functioning within age expectations in Outcome C by the time they turned 6 years of age or exited the program. $(d+e)/(a+b+c+d+e)$	1400.00	5781.00	23.37%	35.70%	24.22%

Explanation of C1 Slippage

New algorithms were used during FFY 13 to more accurately calculate a child’s level of development, which means that, while the scores are lower, they are more accurate than in previous years. In FFY 13, new baseline and targets were established to reflect the more accurate data calculation. The SAPEC was consulted and agreed with the changes.

Due to unmet targets for this indicator and having slippage in all areas but one, the KDE will convene a work group, including shareholders. The work group will review data and current preschool initiatives to determine the reasons for slippage and not meeting targets. A plan will then be generated to address raising the percent of children who entered or exited the preschool program below age expectations in Outcome C who then substantially increased their rate of growth by the time they turned 6 years of age or exited the program.

Was sampling used? No

Did you use the Early Childhood Outcomes Center (ECO) Child Outcomes Summary Form (COSF)? No

Provide the criteria for defining “comparable to same-aged peers” and list the instruments and procedures used to gather data for this indicator.

The Kentucky system for measuring progress on child outcomes is based on recommended practice for continuous assessment of all students aged birth to five years, as defined by the KY Early Childhood Standards (KDE, 2002) and KY Early Childhood Continuous Assessment Guide (KDE, 2004). From a list of Kentucky-approved assessment instruments for monitoring student progress indicated below, five instruments were approved for primary use.*

The remaining instruments were approved for use to complete assessments for students initially assessed with those tools.

- *Assessment, Evaluation and Programming System for Infants and Students, Second Edition (AEPS; Bricker *et al.*, 2002);
- *Carolina Curriculum for Preschoolers with Special Needs (CCPSN; Johnson-Martin *et al.*, 2004); and Carolina Curriculum for Infants and Toddlers with Special Needs, Third Edition (CCITSN, , Johnson-Martin *et al.*, 2004);
- Learning Accomplishment Profile, Third Edition (LAP-3; Sanford *et al.*, 2004); and Early Learning Accomplishment Profile (E-LAP; Glover *et al.*, 1988);
- *COR Advantage (HighScope, 2013); HighScope Preschool Child Observation Record (Preschool COR; HighScope, 2003); and HighScope Child Observation Record for Infants and Toddlers (COR IT; HighScope, 2002);
- *Teaching Strategies GOLD™ (GOLD; Heroman, Burts, Berke, & Bickart, 2010); and
- *Work Sampling System 5th Edition (WSS; Dichtelmiller, Jablon, Marsden, & Meisels, 2013); and Work Sampling for Head Start 5th Edition (WSHS; Dichtelmiller, Jablon, Marsden, & Meisels, 2014).

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Recommended assessment tools for the state were selected based on technical adequacy, inclusion of functional goals and multiple domains, utility for diverse populations, multiple modalities for collecting data, involvement of families, current use in the field and ease of administration (KDE, 2004). Local districts were instructed to assess students within 6 weeks of entering preschool and each successive spring and fall during which they were enrolled. If students enrolled after the initial data point, teachers were instructed to assess students within 4 weeks of their start date. All districts transitioned from Preschool and COR IT to COR Advantage during FFY14/SFY15. However, some entry assessments for students in the current analyses were conducted in FFY13/FFY14. As a result, the current results include some data from all versions of the assessment.

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 8: Parent involvement**

Monitoring Priority: FAPE in the LRE

Results indicator: Percent of parents with a child receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for children with disabilities.

(20 U.S.C. 1416(a)(3)(A))

Do you use a separate data collection methodology for preschool children? No

Historical Data

Baseline Data: 2013

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≥			28.50%	29.00%	29.50%	30.00%	30.50%	31.00%	31.50%	80.45%	80.55%
Data			29.00%	23.00%	27.90%	34.00%	27.30%	31.10%	31.50%	80.45%	85.12%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target ≥	80.65%	80.75%	80.85%	80.95%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE uses a parent survey to obtain Indicator 8 data on the percentage of parents who report school districts facilitate parent involvement to improve services and results for their children who have disabilities and attend public school.

In FFY 14, the survey was expanded to include two new items. It was distributed to every parent of a child with an IEP in every school district to gather data for Indicator 8. The KDE and the University of Kentucky Human Development Institute (HDI), a collaborative partner for Indicator 8, reviewed survey results in October 2015. The SAPEC approved changes to the FFY 14 survey and will be involved, if needed, with future changes.

FFY 2015 SPP/APR Data

Number of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities	Total number of respondent parents of children with disabilities	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
1900.00	2190.00	85.12%	80.65%	86.76%

Since the State did not report preschool children separately, discuss the procedures used to combine data from school age and preschool surveys in a manner that is valid and reliable.

The KDE sent an email to all Directors of Special Education (DOSEs) within the state as part of the process to obtain data for Indicator 8. The email included a sample letter to parents explaining the purpose of the survey, as well as a link to an electronic survey. The email requested the DoSEs to forward the survey link and the letter to all district parents whose children had Individual Education Programs (IEPs).

The information was distributed to school staff with students on their caseload who had IEPs. School staff then sent the information to parents.

The survey is intended for parents of both preschool and school-age students. While the results can be broken down between these two groups, they are not separate surveys and results are automatically combined.

Sample letters to be sent to parents by the districts were made available in Spanish and included a link to a Spanish version of the survey.

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Describe how the State has ensured that any response data are valid and reliable, including how the data represent the demographics of the State.

The survey targeted all parents of students with IEPs in Kentucky; therefore, distribution directly mirrored the state's demographics.

The survey responses reflect the demographics of the state, with 81% of survey responses coming from parents of White students (compared to 85% overall state population), 7% from parents of Black students (8% statewide) and 3% from parents of Hispanic students (3% statewide). Six percent (6%) of survey responses were from parents of children with multiple races, compared to 2% statewide.

Demographic figures come from U.S. Census estimates for 2015. No significant differences based on race were found in the percentage of parents responding "yes" to the question of whether the school involved them in a meaningful way as a means of improving services and results for their child.

Was sampling used? No

Was a collection tool used? Yes

Is it a new or revised collection tool? No



Yes, the data accurately represent the demographics of the State



No, the data does not accurately represent the demographics of the State

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 9: Disproportionate Representation**

Monitoring Priority: Disproportionate Representation

Compliance indicator: Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Historical Data

Baseline Data: 2005

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			0%	0%	0%	0%	0%	0%	0%	0%	0%
Data		0%	3.44%	0%	1.14%	0%	0%	0.57%	0%	0%	0.57%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	0%	0%	0%	0%

FFY 2015 SPP/APR Data

Please indicate the type of denominator provided

- Number of districts in the State
- Number of districts that met the State's minimum n-size

Number of districts with disproportionate representation of racial and ethnic groups in special education and related services	Number of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification	Number of districts that met the State's minimum n-size	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
7	2	175	0.57%	0%	1.14%

Explanation of Slippage

Two districts were cited for disproportionate representation of racial and ethnic groups due to inappropriate identification practices. Both districts had instances of inappropriate identification based on failure to document appropriate interventions, consideration of referrals and the adverse effect of the disability on the student's educational performance.

The KDE has been unable to determine the reason for slippage but will ensure correction of all noncompliance through implementation of district-level corrective action plans (CAPs). The CAPs will include training and follow-up to address student-specific and systemic noncompliance consistent with the requirements of *OSEP 09-02*.

All races and ethnicities were included in the review

Describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification

Any district identified with disproportionate representation as defined by a risk-ratio of 2.0 or higher was targeted for a desk audit. The desk audits focused on evaluation and eligibility determinations for a random sample of students with disabilities from the specific racial/ethnic group of students. Seven districts out of 175 (which includes the Kentucky School for the Blind and the Kentucky School for the Deaf) met the threshold for further examination. Two districts were cited for disproportionate representation due to inappropriate identification because of policies, procedures and practices.

Define "disproportionate representation" and describe the method(s) used to calculate disproportionate representation

The Kentucky Department of Education (KDE) has determined *disproportionate representation* for Indicator 9 occurs when a specific racial and ethnic group's "risk" of being identified as a student in special education and related services (hereafter, a student with an IEP) is two or more times higher than the risk of being identified as a student with an IEP for students in all other racial and ethnic groups.

The method used by the KDE to calculate disproportionate representation for a school district is the risk ratio method, as set forth below.

Risk Ratio = The racial and ethnic group's "risk" of being identified as a student with an IEP (**Numerator**)

Divided by

The risk for students in all other racial and ethnic groups of being identified as a student with an IEP (**Denominator**)

The numerator is obtained by dividing the number of district students in the racial and ethnic group who have IEPs by the total number of district students in the specific racial and ethnic group in the district. The data used in the numerator are from the KDE's Growth Factor Reports and Section 618 data respectively.

The denominator is calculated by dividing the number of district students who have IEPs who are not in the specific racial and ethnic group, by the number of district students who are not in the specific racial and ethnic group. Again, the data used to determine the denominator are found in the KDE's Growth Factor Reports and Section 618 data respectively.

In calculating the risk ratio for each Kentucky school district, the specific racial and ethnic group's risk of having an IEP (the numerator) is divided by the risk for all other students who have an IEP (the denominator). For example, if 20% of students in the specific racial and ethnic group have IEPs and 20% of all other district students have IEPs, the risk ratio is 1.0. But if 40% of a specific racial and ethnic group have IEPs as compared to 20% of all other students in the district, the risk ratio is 2.0.

In addition to a risk ratio of 2.0 or higher, the KDE has included two additional criteria for determining disproportionate representation:

- There must be 10 or more students in the specific racial and ethnic group who have IEPs; and,
- There must be 50 or more students in the specific racial and ethnic group in the district.

The additional criteria are used to ensure the risk ratio accurately identifies disproportionate representation within the district and is not the result of a small number of students within the racial and ethnic group.

Thus, the KDE will find a district has disproportionate representation of the specific racial and ethnic group in special education, if the district has:

1. A risk ratio of 2.0 or higher (≥ 2.0);
2. 10 or more students with IEPs in the specific racial and ethnic group ($n \geq 10$); and,
3. 50 or more students in the district in the specific racial and ethnic group ($n \geq 50$).

Determining disproportionate representation by using the three factors listed above is the first part of the Indicator 9 process. The final step is determining whether the district's disproportionate representation is due to inappropriate identification of the district's racial and ethnic group members as special education students.

The KDE uses desk audits to decide if students in the specific racial and ethnic group have been inappropriately identified under IDEA. If a district has disproportionate representation due to a risk ratio of ≥ 2.0 , the KDE randomly selects district students from the specific racial and ethnic group who have IEPs and requires the district to provide the KDE with the students' educational records.

The KDE then uses its Compliance Record Review Document to determine if the students have been appropriately identified under IDEA. If the KDE finds, through its review of records, that students were inappropriately identified under IDEA, the district will be cited by the KDE as having disproportionate representation of students with IEPs within the specific racial and ethnic group, due to inappropriate identification.

The KDE's Compliance Record Review Document may be found at:

<http://education.ky.gov/specialed/excep/forms/Pages/Monitoring-Documents.aspx>

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as	Findings of Noncompliance Subsequently	Findings Not Yet Verified as Corrected
1/28/2020			

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

	Corrected Within One Year	Corrected	
0	0	0	0

OSEP Response

Because the State reported less than 100% compliance for FFY 2015 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. The State must demonstrate, in the FFY 2016 SPP/APR, that the two districts identified in FFY 2015 with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2015.

Required Actions

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FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 10: Disproportionate Representation in Specific Disability Categories

Monitoring Priority: Disproportionate Representation

Compliance indicator: Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.

(20 U.S.C. 1416(a)(3)(C))

Historical Data

Baseline Data: 2006

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			0%	0%	0%	0%	0%	0%	0%	0%	0%
Data			14.94%	0%	4.55%	0%	3.41%	1.14%	0.57%	2.29%	0%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	0%	0%	0%	0%

FFY 2015 SPP/APR Data

Please indicate the type of denominator provided

- Number of districts in the State
- Number of districts that met the State's minimum n-size

Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories	Number of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification	Number of districts that met the State's minimum n-size	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
23	4	175	0%	0%	2.29%

Explanation of Slippage

Four districts were cited for disproportionate representation of racial and ethnic groups in specific disability categories as a result of inappropriate identification practices. The specific disability categories KDE examined were the following 10 high-incidence disability categories of autism, developmental delay, mental disability (mild), emotional-behavioral disability, other health impairments, speech language impairments and specific learning disability.

The four districts had instances of inappropriate identification based on failure to document appropriate interventions and consideration of referrals and categorical specific requirements. Specific learning disability was the category most frequently determined to be inappropriately identified.

The KDE has been unable to determine the reason for slippage but will ensure correction of all noncompliance through implementation of district-level corrective action plans (CAPs). The CAPs will include training and follow-up to address student-specific and systemic noncompliance consistent with the requirements of *OSEP 09-02*.

All races and ethnicities were included in the review

Describe how the State made its annual determination that the disproportionate overrepresentation it identified of racial and ethnic groups in specific disability categories was the result of inappropriate identification

Any district identified with disproportionate representation with a risk-ratio of 2.0 or higher was targeted for a desk audit. The desk audits focused on evaluation and eligibility determinations for a random sample of students in the racial and ethnic group from the specific disability categories.

Twenty-three districts out of 175 (including the Kentucky School for the Blind and the Kentucky School for the Deaf) met the threshold for further examination. Four districts were cited for disproportionate representation due to inappropriate identification through this process.

Define "disproportionate representation" and describe the method(s) used to calculate disproportionate representation

The Kentucky Department of Education (KDE) has determined *disproportionate representation* for Indicator 10 occurs when a racial and ethnic group's "risk" of being identified in a specific disability category is two or more times higher than the risk of being identified in the specific disability category for

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

students in all other racial and ethnic groups.

The sources of the data are the KDE's Section 618 data and the Growth Factor Reports respectively.

In addition to the risk ratio of 2.0 or higher, the KDE has included two additional criteria for determining disproportionate representation:

- There must be 10 or more students in the specific racial and ethnic group who are identified in the specific disability category.
- There must be 50 or more students in the specific racial and ethnic group in the district.

The additional criteria are to ensure the risk ratio accurately identifies disproportionate representation within the district and is not the result of a small number of students within the racial and ethnic group.

To recap, the KDE will find a district has disproportionate representation for a racial and ethnic group that is identified in a particular disability category, if the district has:

1. A risk ratio of 2.0 or higher (≥ 2.0); and
2. 10 or more students in the specific racial/ ethnic group who are identified in the particular disability category ($n \geq 10$); and
3. 50 or more students in the specific racial and ethnic group ($n \geq 50$).

Determining disproportionate representation by using the three factors listed above is the first step of the Indicator 10 process. The final step is determining whether the district's disproportionate representation is due to inappropriate identification in the specific disability category.

The KDE uses desk audits to decide if students in the specific racial and ethnic group have been inappropriately identified in one of the ten high-incidence disability category mentioned above. If a district has disproportionate representation for Indicator 10 due to a risk ratio of ≥ 2.0 , the KDE randomly selects district students from the specific racial and ethnic group who are identified in the particular disability category. After selecting students, the KDE requires the district to provide the KDE with the students' educational records.

The KDE then uses its Compliance Record Review Document to determine whether the students have been appropriately identified under the particular disability category. If the KDE finds, through its review of records, that students from the racial and ethnic group were inappropriately identified under the specific category of disability, the district will be cited by the KDE as having disproportionate representation of students under Indicator 10, due to inappropriate identification.

The KDE's Compliance Record Review Document may be found at:

<http://education.ky.gov/specialed/excep/Pages/Monitoring-Documents.aspx>

<Documents.aspx://education.ky.gov/specialed/excep/Pages/Monitoring-Documents.aspx>

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

OSEP Response

Because the State reported less than 100% compliance for FFY 2015 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. The State must demonstrate, in the FFY 2016 SPP/APR, that the four districts identified in FFY 2015 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance (greater than 0% actual target data for this indicator), provide an explanation of why the State did not identify any findings of noncompliance in FFY 2015.

Required Actions

1/28/2020

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 11: Child Find**

Monitoring Priority: Effective General Supervision Part B / Child Find

Compliance indicator: Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

Baseline Data: 2005

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			100%	100%	100%	100%	100%	100%	100%	100%	100%
Data		95.43%	94.48%	94.87%	99.00%	99.00%	99.00%	99.27%	99.54%	99.29%	99.45%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	100%	100%	100%	100%

FFY 2015 SPP/APR Data

(a) Number of children for whom parental consent to evaluate was received	(b) Number of children whose evaluations were completed within 60 days (or State-established timeline)	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
2,738	2,731	99.45%	100%	99.74%

Number of children included in (a), but not included in (b) [a-b]	7
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Account for children included in (a) but not included in (b). Indicate the range of days beyond the timeline when the evaluation was completed and any reasons for the delays.

The Kentucky Department of Education (KDE) collects State Performance Plan and Annual Performance Report (SPP/APR) data for Indicator 11 by requiring districts to submit a report by June 15 of each year to the KDE, containing randomly selected, child-specific data for the indicator.

The KDE validates these data through random desk audits, using its student information system and viewing actual student due process records through desk audits, on-site visits or both. The student records reported by the districts are verified, along with additional student files for comparison purposes.

During the 2015-2016 school year, the KDE independently verified Indicator 11 data while conducting desk audits for 11 districts that self-reported 100% compliance during the 2014-2015 school year. Of those districts, no district was cited for noncompliance with the 60 school day evaluation timeline.

The range of days in the state beyond the required 6-day timeline was:

Least number of days=one

Greater number of days= four

The most common reasons for the delays include the following:

- availability of evaluation personnel
- parental factors (excluding parent repeatedly failed to produce the child for evaluation)
- excessive student absenteeism
- district personnel training issues
- difficulty in obtaining external evaluation components

Indicate the evaluation timeline used

- The State used the 60 day timeframe within which the evaluation must be conducted.
- The State established a timeline within which the evaluation must be conducted.

What is the source of the data provided for this indicator?

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

State monitoring

State database that includes data for the entire reporting year

Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.

The KDE collects SPP and APR data for Indicator 11 by requiring districts to submit a self-assessment report to KDE on compliance with Indicator 11, based on the districts' review of randomly selected, child-specific data for the indicator. The districts' reports are due to the KDE by June 15 of each year.

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
16	16	0	0

FFY 2014 Findings of Noncompliance Verified as Corrected

Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements

Sixteen individual student folder were found to be out of compliance with Kentucky's initial evaluation timeline in FFY 2014.

To determine correction of Indicator 11 noncompliance at a systemic level, the KDE took the following steps to verify there were no systemic violations:

The KDE reviewed additional randomly selected files for students who were initially evaluated after the districts' implementation of their Corrective Action Plan (CAP) activities. Because the randomly chosen files were found to be in compliance, the KDE determined the districts were in systemic compliance with Prong Two of *OSEP 09-02*.

Based on its random record review, the KDE has reasonable confidence the districts identified with noncompliance in FFY 14 corrected individual and systemic noncompliance under *OSEP 09-02*.

Describe how the State verified that each individual case of noncompliance was corrected

The steps the KDE took to verify the correction of individual student noncompliance identified in FFY 2014 are as follow:

- Based on a review of district-submitted data, the KDE notified districts of their noncompliance when the district self-reported less than 100% compliance with Indicator 11. Districts were required to submit the student files to the KDE that were identified as exceeding the sixty school day timeline.
- During its review of student files, the KDE verified individual correction of noncompliance. For all student records exceeding the sixty school day timeline, the evaluations had been completed, eligibility determined and, if eligible, an IEP was developed for the student, even if late. This is consistent with Prong One, *OSEP Memorandum 09-02*.

Based on record reviews, the KDE has reasonable confidence the districts identified with individual noncompliance in FFY 14 corrected the noncompliance according to *OSEP 09-02*.

OSEP Response

Because the State reported less than 100% compliance for FFY 2015, the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2016 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2015 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with *OSEP Memo 09-02*. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of

Required Actions

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**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 12: Early Childhood Transition**

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Compliance indicator: Percent of children referred by Part C prior to age 3, who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

Baseline Data: 2005

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			100%	100%	100%	100%	100%	100%	100%	100%	100%
Data		93.74%	96.56%	95.69%	98.73%	99.60%	99.65%	99.86%	99.82%	99.62%	99.29%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	100%	100%	100%	100%

FFY 2015 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	2,754
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	318
c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	2,091
d. Number for whom parent refusals to provide consent caused delays in evaluation or initial services or to whom exceptions under 34 CFR §300.301(d) applied.	223
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	118

	Numerator (c)	Denominator (a-b-d-e)	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
Percent of children referred by Part C prior to age 3 who are found eligible for Part B, and who have an IEP developed and implemented by their third birthdays. $[c/(a-b-d-e)] \times 100$	2,091	2,095	99.29%	100%	99.81%

Number of children who have been served in Part C and referred to Part B for eligibility determination that are not included in b, c, d, e	4
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Account for children included in (a), but not included in b, c, d, or e. Indicate the range of days beyond the third birthday when eligibility was determined and the IEP developed, and the reasons for the delays.

The span of days beyond the third birthday when eligibility was determined and the IEP implemented ranged between one and 82 days.

District staffing issues or district errors in monitoring progress of the referral process resulted in four children served in Part C not having IEPs implemented by their third birthdays.

What is the source of the data provided for this indicator?

- State monitoring
- State database that includes data for the entire reporting year

Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.

The Kentucky Department of Education's (KDE's) School Readiness Branch collects data from school districts, using the end of year Preschool Program Performance Report. School readiness staff review transition data for errors and noncompliance. When errors are noted, districts are required to revise and re-submit data. Staff from the branch and Regional Training Centers (RTCs) work with districts to meet Indicator 12 compliance in subsequent years.

Districts also self-report Indicator 12 preschool transition data to the KDE's Division of Learning Services (DLS). The DLS validates the data by random

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

desk audits using its student information system and viewing actual student due process records. Student records reported by the districts are verified, along with additional student files for comparison purposes.

During the 2015-2016 school year, the DLS independently verified Indicator 12 data while conducting desk audits for 12 districts that self-reported 100% compliance with Indicator 12. Of those districts, no districts were cited for Indicator 12 noncompliance.

*

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
0	0	0	0

OSEP Response

Because the State reported less than 100% compliance for FFY 2015, the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2016 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2015 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2015.

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 13: Secondary Transition**

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Compliance indicator: Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student's transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

Baseline Data: 2009

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target			100%	100%	100%	100%	100%	100%	100%	100%	100%
Data						92.95%	94.61%	98.37%	97.07%	98.98%	99.19%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target	100%	100%	100%	100%

FFY 2015 SPP/APR Data

Number of youth aged 16 and above with IEPs that contain each of the required components for secondary transition	Number of youth with IEPs aged 16 and above	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
2,103	2,137	99.19%	100%	98.41%

What is the source of the data provided for this indicator?

- State monitoring
- State database that includes data for the entire reporting year

Describe the method used to collect these data, and if data are from the State's monitoring, describe the procedures used to collect these data.

The Kentucky Department of Education (KDE) collects State Performance Plan (SPP) and Annual Performance Report (APR) data for Indicator 13 by requiring all districts to submit a report to the KDE containing randomly selected, child-specific data for Indicator 13. The reports are due to the KDE's Division of Learning Services (DLS) by June 15 of each year.

The DLS validates the data by conducting desk audits using its student information system and viewing actual student due process records. Student records reported by the districts are verified, along with additional student files for comparison purposes.

During the 2015-2016 school year, the DLS independently verified Indicator 13 data while conducting desk audits for 14 districts that self-reported 100% compliance with Indicator 13. Of those districts, seven districts were cited for Indicator 13 noncompliance.

The data above represents districts in Kentucky that have the required prerequisites for reporting on secondary transition for Indicator 13. Five districts have reported "NA" due to not having any high schools in the district. These districts only contain K-8 schools.

Actions required in FFY 2014 response

none

Note: Any actions required in last year's response that are related to correction of findings should be responded to on the "Correction of Previous Findings of Noncompliance" page of this indicator. If your State's only actions required in last year's response are related to findings of noncompliance, a text field will not be displayed on this page.

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Correction of Findings of Noncompliance Identified in FFY 2014

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
18	18	0	0

FFY 2014 Findings of Noncompliance Verified as Corrected

Describe how the State verified that the source of noncompliance is correctly implementing the regulatory requirements

During the FFY 14, the KDE cited 18 districts for non-compliance with Indicator 13, based on KDE's review of district records. All findings of non-compliance were corrected and verified through KDE's review of individual student records and random comparison folders that assured correction of systemic noncompliance, in accordance with both prongs of *OSEP 09-02*.

Describe how the State verified that each individual case of noncompliance was corrected

All findings of Indicator 13 noncompliance identified by the DLS must be corrected by school districts in accordance with *OSEP 09-02* as follows:

Prong 1- As part of the individual student review process for all students identified with Indicator 13 non-compliance, DLS verifies through record reviews that Indicator 13 non-compliance for each affected student has been corrected.

Prong 2- To determine correction of the Indicator 13 non-compliance at a systemic level, DLS conducts random record reviews on comparison folders to ensure IDEA systemic issues have been corrected throughout the district.

Based on the record reviews of student-level and randomly selected comparison folders, the KDE has reasonable confidence that the 18 districts identified with non-compliance corrected their individual and systemic non-compliance, according to both prongs specified in *OSEP 09-02*.

OSEP Response

Because the State reported less than 100% compliance for FFY 2015, the State must report on the status of correction of noncompliance identified in FFY 2015 for this indicator. When reporting on the correction of noncompliance, the State must report, in the FFY 2016 SPP/APR, that it has verified that each LEA with noncompliance identified in FFY 2015 for this indicator: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2016 SPP/APR, the State must describe the specific actions that were taken to verify the correction. If the State did not identify any findings of noncompliance in FFY 2015, although its FFY 2015 data reflect less than 100% compliance, provide an explanation of why the State did not identify any findings of noncompliance in FFY 2015.

Required Actions

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**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 14: Post-School Outcomes**

Monitoring Priority: Effective General Supervision Part B / Effective Transition

Results indicator: Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:

- A. Enrolled in higher education within one year of leaving high school.
- B. Enrolled in higher education or competitively employed within one year of leaving high school.
- C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

	Baseline Year	FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
A	2009	Target ≥							24.50%	25.00%	25.50%	25.50%	25.50%
		Data						23.90%	23.20%	19.70%	19.80%	18.75%	18.43%
B	2009	Target ≥							52.70%	53.70%	54.70%	55.00%	55.20%
		Data						51.70%	52.10%	57.10%	55.70%	59.49%	58.17%
C	2009	Target ≥							62.40%	63.90%	65.40%	65.70%	65.90%
		Data						60.90%	64.90%	68.00%	65.80%	67.59%	67.82%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015	2016	2017	2018
Target A ≥	25.50%	25.50%	25.50%	25.50%
Target B ≥	55.40%	55.60%	55.80%	56.00%
Target C ≥	66.10%	66.30%	66.50%	66.70%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC in setting new targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC, with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

FFY 2015 SPP/APR Data

Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	2586.00
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	466.00
2. Number of respondent youth who competitively employed within one year of leaving high school	1110.00
3. Number of respondent youth enrolled in some other postsecondary education or training program within one year of leaving high school (but not enrolled in higher education or competitively employed)	99.00
4. Number of respondent youth who are in some other employment within one year of leaving high school (but not enrolled in higher education, some other postsecondary education or training program, or competitively employed).	111.00

	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
A. Enrolled in higher education (1)	466.00	2586.00	18.43%	25.50%	18.02%
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	1576.00	2586.00	58.17%	55.40%	60.94%

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	Number of respondent youth	Number of respondent youth who are no longer in secondary school and had IEPs in effect at the time they left school	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
C. Enrolled in higher education, or in some other postsecondary education or training program; or competitively employed or in some other employment (1+2+3+4)	1786.00	2586.00	67.82%	66.10%	69.06%

Was sampling used? No

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 15: Resolution Sessions**

Monitoring Priority: Effective General Supervision Part B / General Supervision

Results indicator: Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

Baseline Data: 2005

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≥			70.00%	73.00%	75.00%	78.00%	80.00%	70.00%	70.00%		
Data		68.00%	80.00%	43.00%	50.00%	29.00%	78.00%	25.00%	0%	33.33%	16.67%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015		2016		2017		2018		
Target	70.00%	-	80.00%	70.00%	-	80.00%	70.00%	-	80.00%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2015-16 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/2/2016	3.1(a) Number resolution sessions resolved through settlement agreements	n	null
SY 2015-16 EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/2/2016	3.1 Number of resolution sessions	9	null

FFY 2015 SPP/APR Data

3.1(a) Number resolution sessions resolved through settlement agreements	3.1 Number of resolution sessions	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
4	9	16.67%	70.00% - 80.00%	44.44%

Provide additional information about this indicator (optional)

The number of resolution sessions held during FFY 2015 was nine. The Office of Special Education Programs (OSEP) does not require the KDE to report on Indicator 15, when the number of resolution sessions held is less than 10.

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Actions required in FFY 2014 response

none

OSEP Response

The State reported fewer than ten resolution sessions held in FFY 2015. The State is not required to meet its targets until any fiscal year in which ten or more resolution sessions were held.

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 16: Mediation**

Monitoring Priority: Effective General Supervision Part B / General Supervision

Results indicator: Percent of mediations held that resulted in mediation agreements.

(20 U.S.C. 1416(a)(3)(B))

Historical Data

Baseline Data: 2005

FFY	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Target ≥			61.00%	68.00%	75.00%	81.00%	85.00%	61.00%	61.00%		
Data		66.00%	75.00%	90.00%	68.00%	82.35%	78.26%	60.00%	70.59%	75.00%	85.71%

Key: Gray – Data Prior to Baseline Yellow – Baseline Blue – Data Update

FFY 2015 - FFY 2018 Targets

FFY	2015		2016		2017		2018		
Target	61.00%	-	85.00%	61.00%	-	85.00%	61.00%	-	85.00%

Key:

Targets: Description of Stakeholder Input

The Kentucky Department of Education (KDE) has a relationship with the State Advisory Panel for Exceptional Children (SAPEC) that is collaborative and strives to improve outcomes for students with disabilities. The KDE continues to consult the SAPEC for input when determining outcome-based targets for the State Performance Plan (SPP) and to advise the SAPEC on the KDE's progress toward meeting its targets.

The KDE consulted with the SAPEC three times in setting new targets for FFY 13 through FFY 18. A description of each indicator was provided to the SAPEC with information regarding data and trajectories from the original SPP. Feedback was provided and used to assist in determining targets for FFY 13 - FFY 18.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2015-16 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/2/2016	2.1.a.i Mediations agreements related to due process complaints	n	null
SY 2015-16 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/2/2016	2.1.b.i Mediations agreements not related to due process complaints	5	null
SY 2015-16 EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/2/2016	2.1 Mediations held	15	null

FFY 2015 SPP/APR Data

2.1.a.i Mediations agreements related to due process complaints	2.1.b.i Mediations agreements not related to due process complaints	2.1 Mediations held	FFY 2014 Data*	FFY 2015 Target*	FFY 2015 Data
1	5	15	85.71%	61.00% - 85.00%	40.00%

Explanation of Slippage

The Kentucky Department of Education's (KDE's) mediators held 15 mediation sessions during FFY 2015. Of the 15 mediations held, six resulted in mediation agreements. Thus, 40% of mediations held in FFY 2015 resulted in mediation agreements. This result falls short of the Indicator 16 target range of 61.00 to 85.00%. There was also slippage from the FFY 2014 percentage of 85.71 percent.

KDE has examined the facts around the nine unsuccessful mediations and analyzed the factors behind the Indicator 16 slippage. It looked at the following areas:

- Mediator assignment -There was no observable pattern to explain slippage as far as mediator assignment. Mediator assignments for FFY 2015

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

remained the same as for FFY 2014, when more than 85% of the mediations held resulted in agreements.

- Mediation requests involving the same parties - There was no observable pattern to explain slippage as far as repetitive requests for mediation from the same parties. An exception was two mediations involving the same parent, two siblings and the same district.
- Mediation issues - This is the most promising area that explains slippage. Several issues that were the subject of mediation were better suited for due process hearings and were not best resolved through the mediation process. For example, three of the nine mediations not resulting in agreement involved parents' requests for private school placement. Disputes around private school tuition, resulting in expenses of thousands of dollars for a school district, are likely to be resolved only through a due process hearing or a court action. Other mediations raised issues not directly covered by the IDEA, such as child abuse allegations and a request for a student to retake a test after receiving a failing grade. Since parties to due process hearings and formal written complaints are encouraged to participate in mediation, there is always the possibility of hotly-contested disputes being referred to mediation, where an agreement to resolve the dispute is unlikely to occur.

In an effort to improve mediation session outcomes, the DLS will contact The National Center for Appropriate Dispute Resolution in Special Education (CADRE), a national technical assistance center funded by OSEP, as well as dispute resolution departments of other State Education Agencies. The DLS will ask for recommendations on successful mediation approaches Kentucky can implement to improve its mediation success rate.

Actions required in FFY 2014 response

none

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Indicator 17: State Systemic Improvement Plan**

Monitoring Priority: General Supervision

Results indicator: The State's SPP/APR includes a State Systemic Improvement Plan (SSIP) that meets the requirements set forth for this indicator.

Reported Data

Baseline Data: 2013

FFY	2013	2014	2015
Target ≥		22.20%	30.90%
Data	14.00%	12.80%	13.40%

Key: Gray – Data Prior to Baseline Yellow – Baseline
Blue – Data Update

FFY 2016 - FFY 2018 Targets

FFY	2016	2017	2018
Target ≥	39.50%	48.20%	56.80%

Key:

Description of Measure

Aligned to Indicator 3C (Proficiency for students with IEPs), Grade 8:

Proficiency rate percent = ((# of 8th Grade students with IEPs scoring at or above proficient against grade level) divided by the (total # of children with IEPs who received a valid score and for whom a proficiency level was assigned, and, calculated separately for math)]. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

Targets: Description of Stakeholder Input

Please see attachment.

Overview

Please see attachment.

Data Analysis

A description of how the State identified and analyzed key data, including data from SPP/APR indicators, 618 data collections, and other available data as applicable, to: (1) select the State-identified Measurable Result(s) for Children with Disabilities, and (2) identify root causes contributing to low performance. The description must include information about how the data were disaggregated by multiple variables (e.g., LEA, region, race/ethnicity, gender, disability category, placement, etc.). As part of its data analysis, the State should also consider compliance data and whether those data present potential barriers to improvement. In addition, if the State identifies any concerns about the quality of the data, the description must include how the State will address these concerns. Finally, if additional data are needed, the description should include the methods and timelines to collect and analyze the additional data.

Please see attachment.

Analysis of State Infrastructure to Support Improvement and Build Capacity

A description of how the State analyzed the capacity of its current infrastructure to support improvement and build capacity in LEAs to implement, scale up, and sustain the use of evidence-based practices to improve results for children with disabilities. State systems that make up its infrastructure include, at a minimum: governance, fiscal, quality standards, professional development, data, technical assistance, and accountability/monitoring. The description must include current strengths of the systems, the extent the systems are coordinated, and areas for improvement of functioning within and across the systems. The State must also identify current State-level improvement plans and initiatives, including special and general education improvement plans and initiatives, and describe the extent that these initiatives are aligned, and how they are, or could be, integrated with, the SSIP. Finally, the State should identify representatives (e.g., offices, agencies, positions, individuals, and other stakeholders) that were involved in developing Phase I of the SSIP and that will be involved in developing and implementing Phase II of the SSIP.

Please see attachment.

State-identified Measurable Result(s) for Children with Disabilities

A statement of the result(s) the State intends to achieve through the implementation of the SSIP. The State-identified result(s) must be aligned to an SPP/APR indicator or a component of an SPP/APR indicator. The State-identified result(s) must be clearly based on the Data and State Infrastructure Analyses and must be a child-level outcome in contrast to a process outcome. The State may select a single result (e.g., increasing the graduation rate for children with disabilities) or a cluster of related results (e.g., increasing the graduation rate and decreasing the dropout rate for children with disabilities).

Statement

Please see attachment.

Description

Please see attachment.

Selection of Coherent Improvement Strategies

An explanation of how the improvement strategies were selected, and why they are sound, logical and aligned, and will lead to a measurable improvement in the State-identified result(s). The improvement strategies should include the strategies, identified through the Data and State Infrastructure Analyses, that are needed to improve the State infrastructure and to support LEA implementation of evidence-based practices to improve the State-identified Measurable Result(s) for Children with Disabilities. The State must describe how implementation of the improvement strategies will address identified root causes for low performance and ultimately build LEA capacity to achieve the State-identified Measurable Result(s) for Children with Disabilities.

Please see attachments.

Theory of Action

A graphic illustration that shows the rationale of how implementing the coherent set of improvement strategies selected will increase the State's capacity to lead meaningful change in LEAs, and achieve improvement in the State-identified Measurable Result(s) for Children with Disabilities.

Submitted Theory of Action: No Theory of Action Submitted

Provide a description of the provided graphic illustration (optional)

Description of Illustration

Please see attachment.

Infrastructure Development

- (a) Specify improvements that will be made to the State infrastructure to better support EIS programs and providers to implement and scale up EBPs to improve results for infants and toddlers with disabilities and their families.
- (b) Identify the steps the State will take to further align and leverage current improvement plans and other early learning initiatives and programs in the State, including Race to the Top-Early Learning Challenge, Home Visiting Program, Early Head Start and others which impact infants and toddlers with disabilities and their families.
- (c) Identify who will be in charge of implementing the changes to infrastructure, resources needed, expected outcomes, and timelines for completing improvement efforts.
- (d) Specify how the State will involve multiple offices within the State Lead Agency, as well as other State agencies and stakeholders in the improvement of its infrastructure.

Please see attachment.

Support for EIS programs and providers Implementation of Evidence-Based Practices

(a) Specify how the State will support EIS providers in implementing the evidence-based practices that will result in changes in Lead Agency, EIS program, and EIS provider practices to achieve the SIMR(s) for infants and toddlers with disabilities and their families.

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

(b) Identify steps and specific activities needed to implement the coherent improvement strategies, including communication strategies and stakeholder involvement; how identified barriers will be addressed; who will be in charge of implementing; how the activities will be implemented with fidelity; the resources that will be used to implement them; and timelines for completion.

(c) Specify how the State will involve multiple offices within the Lead Agency (and other State agencies such as the SEA) to support EIS providers in scaling up and sustaining the implementation of the evidence-based practices once they have been implemented with fidelity.

Please see attachment.

Evaluation

(a) Specify how the evaluation is aligned to the theory of action and other components of the SSIP and the extent to which it includes short-term and long-term objectives to measure implementation of the SSIP and its impact on achieving measurable improvement in SIMR(s) for infants and toddlers with disabilities and their families.

(b) Specify how the evaluation includes stakeholders and how information from the evaluation will be disseminated to stakeholders.

(c) Specify the methods that the State will use to collect and analyze data to evaluate implementation and outcomes of the SSIP and the progress toward achieving intended improvements in the SIMR(s).

(d) Specify how the State will use the evaluation data to examine the effectiveness of the implementation; assess the State's progress toward achieving intended improvements; and to make modifications to the SSIP as necessary.

Please see attachment.

Technical Assistance and Support

Describe the support the State needs to develop and implement an effective SSIP. Areas to consider include: Infrastructure development; Support for EIS programs and providers implementation of EBP; Evaluation; and Stakeholder involvement in Phase II.

Please see attachment.

Phase III submissions should include:

- Data-based justifications for any changes in implementation activities.
- Data to support that the State is on the right path, if no adjustments are being proposed.
- Descriptions of how stakeholders have been involved, including in decision-making.

A. Summary of Phase 3

1. Theory of action or logic model for the SSIP, including the SiMR.
2. The coherent improvement strategies or principle activities employed during the year, including infrastructure improvement strategies.
3. The specific evidence-based practices that have been implemented to date.
4. Brief overview of the year's evaluation activities, measures, and outcomes.
5. Highlights of changes to implementation and improvement strategies.

Please see attachment.

B. Progress in Implementing the SSIP

1. Description of the State's SSIP implementation progress: (a) Description of extent to which the State has carried out its planned activities with fidelity—what has been accomplished, what milestones have been met, and whether the intended timeline has been followed and (b) Intended outputs that have been accomplished as a result of the implementation activities.
2. Stakeholder involvement in SSIP implementation: (a) How stakeholders have been informed of the ongoing implementation of the SSIP and (b) How stakeholders have had a voice and been involved in decision-making regarding the ongoing implementation of the SSIP.

Please see attachment.

C. Data on Implementation and Outcomes

1. How the State monitored and measured outputs to assess the effectiveness of the implementation plan: (a) How evaluation measures align with the theory of action, (b) Data sources for each key measure, (c) Description of baseline data for key measures, (d) Data collection procedures and associated timelines, (e) [If applicable] Sampling procedures, (f) [If appropriate] Planned data comparisons, and (g) How data management and data analysis procedures allow for assessment of progress toward achieving intended improvements
2. How the State has demonstrated progress and made modifications to the SSIP as necessary: (a) How the State has reviewed key data that provide evidence regarding progress toward achieving intended improvements to infrastructure and the SiMR, (b) Evidence of change to baseline data for key measures, (c) How data support changes that have been made to implementation and improvement strategies, (d) How data are informing next steps in the SSIP implementation, and (e) How data support planned modifications to intended outcomes (including the SiMR)—rationale or justification for the changes or how data support that the SSIP is on the right path
3. Stakeholder involvement in the SSIP evaluation: (a) How stakeholders have been informed of the ongoing evaluation of the SSIP and (b) How stakeholders have had a voice and been involved in decision-making regarding the ongoing evaluation of the SSIP

Please see attachment.

D. Data Quality Issues: Data limitations that affected reports of progress in implementing the SSIP and achieving the SiMR

1. Concern or limitations related to the quality or quantity of the data used to report progress or results
2. Implications for assessing progress or results
3. Plans for improving data quality

Please see attachment.

E. Progress Toward Achieving Intended Improvements

1. Infrastructure changes that support SSIP initiatives, including how system changes support achievement of the SiMR, sustainability, and scale-up
2. Evidence that SSIP's evidence-based practices are being carried out with fidelity and having the desired effects
3. Outcomes regarding progress toward short-term and long-term objectives that are necessary steps toward achieving the SiMR
4. Measurable improvements in the SiMR in relation to targets

FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Please see attachment.

F. Plans for Next Year

1. Additional activities to be implemented next year, with timeline
2. Planned evaluation activities including data collection, measures, and expected outcomes
3. Anticipated barriers and steps to address those barriers
4. The State describes any needs for additional support and/or technical assistance

Please see attachment.

OSEP Response

Required Actions

**FFY 2015 Part B State Performance Plan (SPP)/Annual Performance Report (APR)
Certify and Submit your SPP/APR**

I certify that I am the Chief State School Officer of the State, or his or her designee, and that the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report is accurate.

Selected: Designated by the Chief State School Officer to certify

Name and title of the individual certifying the accuracy of the State's submission of its IDEA Part B State Performance Plan/Annual Performance Report.

Name: Gretta Hylton

Title: Director, Division of Learning Services

Email: gretta.hylton@education.ky.gov

Phone: 502-564-4970