

**Data Verification Report**  
 Estill County School District  
 Issued March 15, 2012

<b>General Information</b>	
<b><i>Type of Report:</i></b>	<b>Consolidated Monitoring Visit – Individuals with Disabilities Education Act (Part B)</b>
<b><i>Focus Areas Reviewed:</i></b>	<ul style="list-style-type: none"> <li>• Eligibility</li> <li>• Least Restrictive Environment</li> </ul>
<b><i>Data Sources:</i></b>	<ul style="list-style-type: none"> <li>• Review of Student Due Process Files</li> <li>• Interviews with Director of Special Education, ARC Chairs and other district staff as deemed appropriate by the team</li> </ul>
<b><i>DLS Review Team Members</i></b>	<ul style="list-style-type: none"> <li>• Stephanie Sterling, IDEA Team Leader</li> <li>• Roger Lacy, Exceptional Children’s Consultant</li> <li>• Denise Bailey, DLS Branch Manager</li> <li>• Robin Linton, Education Administration Consultant</li> </ul>

**Onsite Visit Methodology**

The Kentucky Department of Education (KDE), Division of Learning Services (DLS) has recently conducted a focused monitoring visit in your district. The focus areas for this review include priorities established by the Kentucky Department of Education. For this monitoring cycle, DLS established the following monitoring priorities:

- Eligibility for students identified for special education and related services in moderate incidence categories and multiple disabilities, regardless of the underlying disabilities
- Least restrictive environment (LRE) documentation.

Your district is one of 14 districts that received an onsite visit during the 2011-12 school year through the Consolidated Monitoring Process.

The IDEA portion of the review was conducted by a team assembled by DLS as specified in the General Information section of this report. In order to complete the compliance review, the team reviewed individual student records.

Districts were directed to make available the pertinent student records randomly selected by the DLS team leader in order to determine the district’s compliance status related to the focus areas stated above.

This report contains a section for each priority area reviewed for your district. It also contains “coded” student-specific noncompliance that must be corrected by the district. Individual student names are not provided in the report, due to confidentiality concerns. A separate list with the codes and student names will be made available to the director of special education after the issue of this report.

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Even though eligibility and LRE are the focus of this report, the team may have noted other concerns when reviewing the student files. KDE is required under its general supervision responsibility to cite districts for IDEA noncompliance that it discovers during the course of monitoring.

**Eligibility and Least Restrictive Environment**

Records for eligibility were reviewed based upon the requirements outlined in 707 KAR 1:300 (Child find, evaluation and reevaluation), 707 KAR 1:310 (Determination of eligibility) and 707 KAR 1:350, Section 1 (Placement decisions).

The following information outlines specific areas the review team investigated in order to determine compliance with eligibility and LRE requirements.

Referral and Classroom Interventions

- The review team assessed the district's compliance with 707 KAR 1:300 Section 3 as it pertains to ensuring that each child has been provided appropriate instruction and intervention services prior, or as a part of the referral process. The instruction and intervention services must include:
  - Relevant research-based instruction and intervention services in regular education settings, with the instruction provided by qualified personnel,
  - Data-based documentation of repeated assessments of achievement or measures of behavior which are collected and evaluated at reasonable intervals, reflecting systematic assessment of student progress during instruction and,
  - Results having been provided to the child's parents.

Adverse Effect

For all disability categories, the Kentucky IDEA regulations require the ARC to document discussion of the adverse effect of the disability on the child's educational performance. Adverse effect means that the progress of the child is impeded by the disability to the extent that the child's educational performance is significantly and consistently below the level of similar aged peers. 707 KAR 1:002, Section 1(2).

Developmental Delay (DD)

Developmental Delay as defined by 707 KAR 1:002, means that a child within the ages of three and eight has not acquired skills, or achieved commensurate with recognized performance expectations for his age in one or more of the following developmental areas: cognition, communication, motor development, social-emotional development, or self-help-adaptive behavior. Developmental Delay includes a child who demonstrates a measurable, verifiable discrepancy between expected performance for the child's chronological age and current level of performance. The discrepancy shall be documented by:

- Scores of two standard deviations or more below the mean in one of the areas listed above as obtained using norm-referenced instruments and procedures;

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- Scores of one and one-half standard deviations below the mean in two or more of the areas listed above using norm-referenced instruments and procedures; or
- The professional judgment of the ARC that there is a significant atypical or pattern of development. Professional judgment shall only be used where normal scores are inconclusive and the ARC documents in a written report the reasons for concluding that a child has a developmental delay.

Mild Mental Disabilities

Per 707 KAR 1:002 Section 1, (37) in order for a child to be eligible under the mild mental disability (MMD) category the following criteria must exist:

- Cognitive functioning is at least two (2) but no more than three (3) standard deviations below the mean
- Adaptive behavior deficit is at least two standard deviations below the mean
- A severe deficit exists in overall academic performance including acquisition, retention and application of knowledge
- Manifestation is typically during the developmental period

Multiple Disabilities

According to 707 KAR 1:002, Section 1 (39), multiple disabilities (MD) means “concomitant impairments that have an adverse effect on the child’s educational performance, the combination of which causes severe educational needs that cannot be accommodated in special education programs solely for one (1) of the impairments. Examples of MD include mental disability-blindness, and mental disability-orthopedic impairment. Multiple Disabilities does not mean deaf-blindness nor does it mean a speech or language impairment in combination with another category of disability.”

Based upon the requirement that the impairments must cause “severe educational needs” that cannot be accommodated in special education programs solely for one of the impairments, the DLS team must verify the student met eligibility requirements for all disability areas constituting the multiple disability. DLS must also look for verification that the student’s educational needs could not be met solely in a special education program for one of the impairments.

Examples of disability combinations that triggered increased scrutiny include OHI (ADHD)/EBD, OHI/MMD and OHI/SLD. In addition, some disability categories contain exclusionary factors which would ordinarily preclude some disability combinations. This includes combinations such as MMD/FMD, MMD/SLD and EBD/SLD.

Each file was considered by the review team on a case by case basis considering all data available to the team.

Other Health Impairment

Other Health Impairment (OHI), as defined by 707 KAR 1:002, Section 1 (42) means having limited strength, vitality or alertness, including a heightened alertness to environmental stimuli, that results in limited alertness with respect to the educational environment that:

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- Is due to a chronic or acute health problem
- Adversely effects a child's educational performance

The review team paid particular attention to ARC discussions of how the identified health impairment affects the child's educational performance. In cases where this is not documented by the ARC as required by the regulations, the DLS Review Team found the district to be out of compliance with IDEA

Specific Learning Disability

Specific Learning Disability (SLD) is defined by 707 KAR 1:002 Section 1 (59) as a disorder that adversely effects the ability to acquire, comprehend, or apply reading, mathematical, writing, reasoning, listening, or speaking skills to the extent that specially designed instruction is required to benefit from education. The term does not include deficits that are the result of other primary determinant or disabling factors such as:

- Vision
- Hearing
- Motor Impairment
- Mental disability
- Emotional-behavioral disability
- Environmental or economic disadvantaged
- Cultural factors
- Limited English proficiency
- Lack of relevant research-based instruction in the deficit area

The review team also considered the requirements of 707 KAR 3:10 Section 2 in evaluating compliance for eligibility under the SLD category. Examples of this required documentation include:

- Appropriate instruction provided in regular education settings
- Repeated assessments of achievement at reasonable levels reflecting formal assessment of student progress during instruction
- Relevant behavior noted during observation(s) and relationship of that behavior to the child's academic functioning (Note: 707 KAR 1:310 Section 1(i) states "behavioral observations" meaning more than one)
- Educationally relevant medical findings, if any
- Whether the child does not achieve commensurate with the child's age and ability

Speech and Language Impairment

Speech and Language Impairment (SLI) is defined by 707 KAR 1:280 Section 1 (60) as a communication disorder, including stuttering, impaired articulation, a language impairment, delayed acquisition of language or an absence of language that adversely effects a child's educational performance.

The DLS Monitoring Team used the guidelines included in the Kentucky Eligibility Guidelines – Revised (KEG-R) document as an outline for determining compliance with eligibility for special education services under the SLI category.

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Although the KEG-R is no longer referenced in the Kentucky Administrative Regulations (KAR), the KEG provides a systematic method for ensuring that all Kentucky Administrative Regulations pertinent to eligibility have been met and that there is consistency across the state.

Whether or not the district uses the KEG-R document, the district must ensure that all eligibility requirements have been met.

Least Restrictive Environment

As outlined in 707 KAR 1:350, Section 1, the DLS Review Team verified documentation by reviewing documentation of Least Restrictive Environment (LRE) considerations by the ARC. In making the determination of the setting in which a student's IEP is to be implemented, the district must ensure:

- Special classes, separate schooling, or other removal from the regular education environment occurs only if education in the regular education environment with the use of supplementary aids and services cannot be satisfactorily achieved due to the nature or severity of the disability
- A continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services
- A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

The team reviewed current conference summaries and IEPs to ensure these regulatory requirements were met. Any concerns noted in this area are specified in the student-specific feedback below.

**Summary of KDE Team's Findings and District Compliance Status**

Table 1 below contains the list of items from the Compliance Record Review Document used by the KDE Review Team to determine the compliance status of the individual student records reviewed. See Appendix A at the end this report for a list of the indicators reviewed. Under separate cover the Director of Special Education will be provided the names of each student in order to match the code used in the table with the student record in question.

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Entered	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
Item	Student 1	Student 2	Student 3	Student 4	Student 5	Student 6	Student 7	Student 8	Student 9	Student 10
Disability	FMD	MMD	EBD	VI	OHI	SLD	AUT	MMD	FMD	SL
Referral	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval	Re-Eval
Complete or Review	Complete	Review	Review	Complete						
52	Yes	No	No	Yes						
53	Yes	No	No	Yes	No	Yes	No	No	No	Yes
61	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
61a	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
61a(1)										
61b	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
61b(1)										
61b(2)										
61b(3)										
61c	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
61c(1)										
61c(2)										
61c(3)										
62	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes
62(1)	Yes	No	No	Yes	Yes	No	Yes	No	No	Yes
62(2)	Yes	No	No	Yes	Yes	No	Yes	No	Yes	Yes
62(3)	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes
63	Yes	No	No	Yes						
64	Yes	No	No	Yes						
65	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes
66	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	Yes
67	Yes	No	No	Yes	Yes	Yes	Yes	No	Yes	No
68	Yes	No	No	Yes						
69a	NA			NA						
69a(1)										
69a(2)										
69a(3)										
69a(4)										
69b	NA	No	No	NA						
69b(1)		No	No							
69b(2)										
Eligibility	Yes	No	No	Yes	Yes	Yes	No	Yes	Yes	Yes
Eligibility Concerns by Item Number		1,2,3,4,5,6	1,2,3,4,5,6,7				3,6			
Items Found Non-Compliant	0	11	11	1	1	1	2	4	2	1
Items Found Compliant	10	0	0	9	9	9	8	6	8	9
Measured Items	10	12	12	10	10	10	10	10	10	10
Student Compliance Rate	100.00%	8.33%	8.33%	90.00%	90.00%	90.00%	80.00%	60.00%	80.00%	90.00%
Student Corrections Required?	No	Yes	Yes	No	Yes	Yes	Yes	Yes	Yes	Yes

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| YES        |
|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|
| Student 11 | Student 12 | Student 13 | Student 14 | Student 15 | Student 16 | Student 17 | Student 18 | Student 19 | Student 20 |
| MD         | MMD        | DD         | OHI        | MD         | DD         | AUT        | SL         | FMD        | SL         |
| Re-Eval    | Re-Eval    | Referral   | Re-Eval    | Re-Eval    | Re-Eval    | Referral   | Re-Eval    | Referral   | Referral   |
| Complete   |
| Yes        |
No	No	No	Yes	Yes	No	No	No	Yes	Yes
NA	NA	Yes	NA	NA	NA	No	NA	No	Yes
NA	NA	Yes	NA	NA	NA	Yes	NA	Yes	Yes
		Yes				Yes		Yes	Yes
NA	NA	Yes	NA	NA	NA	No	NA	No	Yes
		Yes				No		Yes	Yes
		Yes				Yes		No	Yes
		Yes				Yes		Yes	Yes
NA	NA	Yes	NA	NA	NA	No	NA	Yes	Yes
		Yes				No		Yes	Yes
		Yes				No		Yes	Yes
		Yes				Yes		Yes	Yes
No	Yes	No	Yes						
No	Yes								
Yes	Yes	No	Yes						
Yes									
No	Yes	No	Yes						
Yes	No	Yes							
Yes									
Yes									
Yes	Yes	Yes	No	Yes		Yes	No	Yes	Yes
Yes	Yes	Yes	Yes	Yes		Yes	Yes	No	Yes
NA									
NA									
No	Yes	No	Yes	Yes	Yes	Yes	Yes	No	Yes
2		7						1	
5	1	3	1	0	1	1	2	4	0
5	8	8	9	10	7	9	8	6	11
10	10	11	10	10	10	11	10	11	11
50.00%	90.00%	72.73%	90.00%	100.00%	90.00%	90.91%	80.00%	63.64%	100.00%
Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	No



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**Table 2:**

<b>Student Specific Feedback</b>	
Student 1	Student file was in compliance with evaluation/eligibility and LRE requirements.
Student 2	<p>Student file was not in compliance. Student transferred into the district from another county during the 2010-2011 school year. County records have an IEP date of 3-14-2011. Student file was not in compliance in the area of least restrictive environment. There was insufficient evidence of documentation of transfer meeting to determine if IEP was acceptable and no conference summary of meeting.</p> <p>The ARC did not request another evaluation to determine eligibility. There was insufficient evidence of a transfer meeting to accept IEP from another county or decide if an evaluation was needed to determine if the student was eligible. There was no documentation of a conference summary for a transfer meeting.</p>
Student 3	<p>Student file was not in compliance. Student transferred into the district from another county during the 2011-2012 school year. Student file was not in compliance with LRE requirements since the reasons for removal of the student from the general education environment were nondescript and did not explain why a more restrictive setting was required.</p> <p>The ARC did not request another evaluation to determine eligibility. There was insufficient evidence of transfer meeting to accept IEP from another county or decide if an evaluation was needed to determine the student eligible. There was insufficient evidence and documentation that included lack of Integrated Assessment Report, lack of Behavior Intervention Plan, lack of Progress Data, lack of ARC Conference Summary for transfer meeting, and lack of documentation that stated IEP was determined appropriate and accepted by the ARC.</p>
Student 4	<p>Student file was in compliance with all LRE and evaluation/eligibility requirements except that some of the assessments provided the student were not appropriate for a student with a visual impairment. The IQ test only provided a verbal score but no full scale score. The academic assessment required student to read printed words and letters for recognition purposes.</p> <p>Since these assessments were not mandatory for VI eligibility, the student does meet eligibility requirements; however, these factors should be considered in the future planning of evaluations for students with a visual impairment.</p>
Student 5	Student file was in compliance with evaluation/eligibility requirements. Student file was not in compliance with LRE requirements since no reasons were provided for removal from the general education environment.
Student 6	Student file was not in compliance. There was no documentation provided that showed research-based interventions occurred prior to or during the evaluation process.
Student 7	Student file was not in compliance with LRE requirements since the reasons for removal of the student from the general education environment were nondescript and did not explain why a more restrictive setting was required.

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	<p>The ARC did not provide a statement that outlined the adverse effect of the disability that was significantly and consistently below the level of similar aged peers, since the available data was never triangulated to develop an appropriate statement.</p>
Student 8	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p> <p>There was no documentation located to verify that IEP progress data specific to each annual goal and benchmark was collected and reviewed by the ARC. This must be reviewed as part of the process for reevaluation planning. There was no conference summary for the evaluation planning meeting dated 4-7-10, in which parent(s) did not attend.</p>
Student 9	<p>Student file was not in compliance with LRE and evaluation requirements. LRE statement was nondescript and did not explain the reasons for removal from the general education environment.</p> <p>There was no documentation located to verify that IEP progress data specific to each annual goal and benchmark was collected and reviewed by the ARC. This must be reviewed as part of the process for reevaluation planning.</p>
Student 10	<p>The student file was not in compliance with eligibility. There was no documentation to show that two observations had been conducted for re-evaluation.</p>
Student 11	<p>Student file was not in compliance with LRE due to the impact that student's disability had on educational performance. LRE statement was nondescript and did not explain the reasons for removal from the general education environment.</p> <p>Student file was not in compliance with eligibility. There was no progress monitoring data and no classroom observations conducted for triangulation of data in determining eligibility.</p> <p>Student file was not in compliance with eligibility based on the category of MD. Student cannot be served under the dual label of Autism/SLD.</p>
Student 12	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p>
Student 13	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p> <p>Academic interventions were not specific to the suspected disability. Data provided was not specific to interventions as no data was present to show progress or lack of progress.</p>
Student 14	<p>Student file was not in compliance with eligibility determination. There was reference of only one classroom observation in the assessment report and no documentation of observations present in the student file.</p>
Student 15	<p>Student file was in compliance with evaluation/eligibility and LRE requirements.</p>

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Student 16	Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.
Student 17	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p> <p>Student file was not in compliance with eligibility. There was no evidence of progress monitoring data, behavior intervention strategies, or classroom observations for triangulation of data in determining eligibility.</p>
Student 18	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p> <p>The student file was not in compliance with eligibility. There was no documentation provided to show that observations were conducted for re-evaluation.</p>
Student 19	Student file was not in compliance with eligibility. There was no documentation to show a Cognitive Assessment was administered to the student. Classroom observations occurred in the homebound setting and were conducted by the same individual that was providing instruction to the student, simultaneously. This is not considered appropriate practice.
Student 20	Student file was in compliance with evaluation/eligibility and LRE requirements
Student 21	Student file was not in compliance with eligibility. The conference summary contained one sentence. There was no proof of progress data or criteria discussed to determine eligibility at the 5-16-11 meeting. There was no proof that the ARC committee members discussed evaluation results in the ARC meeting.
Student 22	<p>Student file was not in compliance with LRE as it lacked specificity in explanation of why the student's needs could not be met in general education classroom.</p> <p>Student file was not in compliance with evaluation/eligibility. There was no Evaluation Planning Form completed, No Consent to Evaluate signed by parent, and no progress/monitoring data present. MAP data is not considered to be progress monitoring data related to goals and objectives, as it is not tied to the benchmarks or goals in the IEP. Only one Adaptive Behavior rating scale was completed by teacher. There should have been documented attempts for parent to complete adaptive rating scales. Evaluation assessment data was not present in the due process folder.</p>
Student 23	<p>Student file was not in compliance with LRE requirements since the reasons for removal of the student from the general education environment given were nondescript and did not explain why a more restrictive setting was required from the 3-12-12 ARC.</p> <p>Student file was not in compliance with eligibility. There was no documentation of progress monitoring, graphing of data, or RTI interventions to support suspected disability.</p>

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Student 24	<p>Student file was not in compliance with evaluation/eligibility and LRE requirements.</p> <p>No interventions were documented by the ARC before determining the student eligible under the SLD category.</p> <p>The student met the discrepancy table requirements for being determined eligible under the SLD category, but there was little to no triangulation of data to document an adverse effect of the disability on the child's educational performance that was significantly and consistently below the level of similar aged peers.</p> <p>Only one behavior observation was completed and it was not in the academic area under which the student was determined to be SLD.</p> <p>LRE statement was nondescript and did not explain the reasons for removal from the general education environment.</p>
Student 25	<p>Student file was not in compliance with LRE and evaluation/eligibility criteria.</p> <p>LRE statement was nondescript and did not explain the reasons for removal from the general education environment.</p> <p>Student was initially placed in a different categorical area and was found eligible for SLD upon reevaluation. There was no documentation available to show that the student had interventions targeted specifically to the areas in which the student was determined eligible, since receiving previous special education services alone, does not meet the requirement that interventions were provided.</p> <p>Two behavior observations were conducted, but both were in a classroom situation that did not match the areas of SLD eligibility determined by the ARC.</p> <p>Moreover, the ARC did not specifically state what the adverse effect of the disability was on the child's educational performance that was significantly and consistently below the level of similar aged peers.</p>

**The district is cited** relative to student-specific violations related to placement decisions/LRE (707 KAR 1:350)

**The district is cited** relative to student-specific violations related to evaluation/reevaluation (707 KAR 1:300).

**The district is cited** relative to student-specific violations related to determination of eligibility (707 KAR 1:310).

**Corrective Action Plan Requirements**

707 KAR 1:380 specifies that, after an off-site or on-site review, KDE must issue a written report. Deficiencies (instances of noncompliance) specified in the report shall be the basis for the district to develop a Corrective Action Plan (CAP) for review and approval by KDE. The

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district has the opportunity to submit additional information or to verify or clarify issues related to the report (prior to the development of the CAP).

Each CAP must be monitored and enforced by KDE.

The district must submit its CAP to KDE no later than 30 business days after the district receives the report. Business day means Monday through Friday except for federal and state holidays as defined by 707 KAR 1:002 (6).

The CAP must include:

- A statement of the matter to be corrected
- The steps the LEA shall take to correct the problem and document compliance

DLS will send a CAP template to the director of special education for development of the district's CAP.

Within 30 business days of receiving the CAP, KDE must notify the district of the status of the CAP. If KDE rejects the CAP, the district has up to 15 business days to submit a new CAP. A CAP, once approved by KDE must be monitored and is an official document requiring the district to meet the specified activities.

KDE will not initiate further sanctions during the time period specified in the CAP unless requested by the district. Any noncompliance found during monitoring must be corrected within one year. The U.S Department of Education's Office of Special Education Programs (OSEP) specifies the one-year timeline runs from the date KDE notifies the district in writing of the noncompliance until KDE notifies the district in writing that the noncompliance has been corrected.

### Student Level and Systemic Noncompliance

KDE tracks findings of noncompliance and requires correction at the individual student level as required by OSEP. KDE also looks for compliance at a systemic level. For the purposes of KDE monitoring, "systemic" means findings of noncompliance where related issue(s) are occurring more than once. Examples might include:

- Noncompliance across disability categories where documentation of interventions and appropriate research-based instruction did not occur prior to referral
- The use of only one classroom behavior observation (subsequent to September 7, 2010)

In cases where systemic noncompliance is noted, the district must not only correct the individual student files as necessary, but must also determine the cause(es) for the noncompliance and take steps in the CAP to correct these issues.

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Table 3 below includes any student-specific issues that must be addressed through the CAP process. Table 4 includes any systemic issues that must also be addressed.

The district shall be required to submit corrective action plan status reports using the space provided in the electronic CAP template on a quarterly basis to the DLS Team Leader. It is strongly recommended that the district submit copies of student-specific corrections as they occur in order for the team leader to review and provide timely feedback to the district.

<b>Table 3 – Student Specific Corrective Action Plan</b>	
Student 1	None required.
Student 2	<p>Corrections are to be made if the student is currently enrolled in the county.</p> <p>ARC must convene for a transfer meeting to decide whether to accept the IEP or request an additional evaluation to determine eligibility.</p> <p>The ARC must convene to review existing data to determine if there is sufficient documentation to confirm triangulated data showing an adverse effect caused by the disability that is significantly and consistently below that of similar-aged peers.</p> <p>If so, the adverse effect must be explicitly stated by the ARC. If no adverse effect can be determined, the ARC must release the student from special education.</p> <p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p>

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**Table 3 – Student Specific Corrective Action Plan**

Student 3	<p>Corrections are to be made if the student is currently enrolled in the county.</p> <p>ARC must convene for a transfer meeting to decide whether to accept the IEP or request an additional evaluation to determine eligibility.</p> <p>The ARC must convene to review existing data to determine if there is sufficient documentation to confirm triangulated data showing an adverse effect caused by the disability that is significantly and consistently below that of similar-aged peers.</p> <p>If so, the adverse effect must be explicitly stated by the ARC. If no adverse effect can be determined, the ARC must release the student from special education.</p> <p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p>
Student 4	None required.
Student 5	The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.
Student 6	The ARC must convene to review progress data of the child and intervention data on the child to determine if information is sufficient to support a suspected disability.
Student 7	The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.
Student 8	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to review progress data of the child and provide documentation of data discussed in the conference summary. ARC discussions must be documented and include information about evaluation planning, interventions and progress data, as well as parental input.</p>
Student 9	The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.

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**Table 3 – Student Specific Corrective Action Plan**

Student 10	<p>The ARC must convene to discuss the evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p> <p>Behavior observations must be completed to triangulate data in determining eligibility. Behavior Intervention Data must be considered in determining eligibility.</p>
Student 11	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to conduct a full evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p>
Student 12	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p>
Student 13	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to review progress monitoring data and interventions that are specific to the suspected disability of the child.</p>
Student 14	<p>Behavior observations must be completed to triangulate data in determining eligibility. Behavior Intervention Data must be considered in determining eligibility.</p> <p>Parental Consent to Evaluate must be provided prior to any evaluation occurring. The ARC must convene to conduct a full evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p>
Student 15	None required.

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**Table 3 – Student Specific Corrective Action Plan**

Student 16	The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.
Student 17	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to review documentation of interventions provided in determining Autism eligibility, and to determine if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility. Behavior observations must be completed to triangulate data in determining eligibility. Behavior Intervention Data must be considered in determining eligibility.</p>
Student 18	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to discuss the evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p> <p>Behavior observations must be completed to triangulate data in determining eligibility. Behavior Intervention Data must be considered in determining eligibility.</p>
Student 19	<p>The ARC must convene to conduct a full evaluation that includes behavior observations conducted by an individual other than the homebound teacher and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p> <p>A cognitive assessment must be conducted during the evaluation to determine eligibility.</p>
Student 20	None required.

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<p>Student 21</p>	<p>The ARC must convene to conduct a full evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p> <p>There was no documentation in the conference summary as to what was discussed by the ARC committee to determine eligibility at the 5-16-11 meeting. The conference summary consisted of one sentence. The conference summary must contain documentation as to what was discussed with regard to evaluation results.</p>
<p>Student 22</p>	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>Parental Consent to Evaluate must be provided prior to any evaluation occurring. The ARC must convene to conduct a full evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility. Evaluation Planning Form must be completed as an ARC and documentation of the discussion provided in the conference summary.</p> <p>Progress monitoring/intervention documentation must be considered by the ARC.</p>
<p>Student 23</p>	<p>The ARC must convene to review existing data to determine if there is sufficient documentation to confirm triangulated data showing an adverse effect caused by the disability that is significantly and consistently below that of similar-aged peers.</p> <p>If so, the adverse effect must be explicitly stated by the ARC. If no adverse effect can be determined, the ARC must release the student from special education.</p> <p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to review documentation of interventions provided in Speech Language eligibility to determine if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p>

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**Table 3 – Student Specific Corrective Action Plan**

Student 24	<p>The ARC must convene to review existing data to determine if there is sufficient documentation to confirm triangulated data showing an adverse effect caused by the disability that is significantly and consistently below that of similar-aged peers.</p> <p>If so, the adverse effect must be explicitly stated by the ARC. If no adverse effect can be determined, the ARC must release the student from special education.</p> <p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>Behavior observations must be completed to triangulate data in determining eligibility. Behavior Intervention Data must be considered in determining eligibility. Only one observation was conducted in Math and the suspected disability is in Reading Comprehension. Observations need to be provided in a classroom situation that is specific to the disability category. The ARC must convene to discuss the evaluation that includes behavior observations and progress data/interventions to determine eligibility, and if intervention data is sufficient based on KARs and KDE eligibility policy letter or if more interventions need to occur prior to determining eligibility.</p>
Student 25	<p>The ARC must convene to determine the least restrictive environment of the student based on supports and services that are provided to the student.</p> <p>The ARC must convene to review progress data/interventions administered to the child as related to the suspected disability. There was insufficient data to determine appropriate interventions were provided or parent was notified at regular intervals.</p> <p>Behavior observations must be completed to triangulate data in determining eligibility. Observations need to be provided in a classroom situation that is specific to the learning disability category.</p> <p>The ARC must convene to determine the adverse effect of the disability on the child's performance that was significantly and consistently below similar aged peers, and documentation of this consideration must be provided in the conference summary.</p>

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**Required Corrective Action Steps to Address Systemic Noncompliance, if Applicable**

Prior to the correction of individual student files, the district must obtain KDE-approved training for all ARC chairpersons, evaluation personnel, special education teachers, and related service providers to cover the following areas:

- Requirements, Consideration, and Documentation of Least Restrictive Environment (LRE)
- Evaluation and Eligibility Requirements including:
  - Adverse Effect
  - Documenting research-based interventions

The training(s) must be conducted and evidence provided to KDE no later than September 28, 2012.

The district must develop and implement a system to ensure ARCs are considering and documenting Evaluation and Eligibility requirements including LRE, adverse effect and interventions appropriately. A summary of the system must be submitted to KDE no later than October 29, 2012.

The district must conduct random record reviews of no less than 10% of the special education enrollment. A summary of record reviews and corrections of noncompliance must be provided to KDE quarterly until the CAP has been deemed as completed by KDE.