

KY
Part B

FFY2013
State Performance Plan /
Annual Performance Report

Introduction to the State Performance Plan (SPP)/Annual Performance Report (APR)

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 state of Kentucky strives to improve educational outcomes for students with disabilities. The general supervision system identifies and corrects noncompliance, supports districts, schools, and teachers toward closing the achievement gap for students with disabilities, and support efforts to assist all students in reaching proficiency, graduate from high school, and successfully transition to a career or post-secondary education.

The Kentucky Department of Education's vision is to ensure that all students are empowered with the skills, knowledge, and dispositions necessary to reach proficiency and graduate from high school, college and career-ready. The KDE has established the Commissioner's Delivery Unit (CDU) based on *Deliverology* principles. The CDU assess KDE's capacity to deliver its most important goals and prioritizes actions to strengthen capacity and achieve results. The Delivery Unit uses data analysis and problem-solving to enhance the work of the cross-functional agency teams and the 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

The KDE has three strategic delivery plans: Next Generation Professionals, Next Generation Support Systems, and Next Generation Learners. The Next Generation Professionals Plan strives to ensure every student is taught by an effective teacher and every school led by an effective leader. The Next Generation Support Systems plan ensures data will inform decisions as well as teaching and learning. The Next Generation Learners plan focuses on achievement and growth, gap closure, graduation, and readiness. Additional information regarding the KDE strategic plans is located on the KDE website at:

<http://education.ky.gov/districts/tech/kmp/Pages/Strategic-Plan.aspx>

The Kentucky Department of Education (KDE), Division of Learning Services (DLS), follows guidelines as directed by the Individuals with Disabilities Education Act (IDEA) and its implementing regulations require states to have a system to resolve disputes between parents of students with disabilities and local school districts. KDE's general supervision provides due process through hearings, formal written complaints, or mediation. Additional information regarding due process is located on the KDE web site at:

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

The KDE has a system of monitoring that includes on-site district visits, desk audits, and self-reported compliance data. On-site monitoring visits occur within KDE's consolidated monitoring process, and on-site visits are scheduled when areas of support or need are identified within Kentucky's schools and districts.

Consolidated monitoring provides 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 programs. Program monitors note effective practices identified during the monitoring visit as well as provide recommendations for addressing noted common concerns. These reports provide opportunities for programs to collaborate, streamline implementation and increase success within each.

The Division of Learning Services (DLS) collaborates with other divisions to conduct on-site consolidated monitoring visits annually. During on-site visits, DLS verifies self-reported data and issues citations for findings of noncompliance.

KDE conducts desk audits annually to report on indicators nine and ten, disproportionate representation, in the SPP/APR. DLS verifies data and issues citations for findings of noncompliance.

KDE provides monitoring documents designed to assist school district personnel in conducting accurate record reviews. Information and resources on monitoring is located on the KDE website at:

<http://education.ky.gov/federal/progs/scmi/Pages/default.aspx>

Kentucky Preschool Program Review (P2R), a monitoring process, developed with the intent to create an oversight system leading to improved teaching and learning environments in Kentucky's Preschool Program. Preschool Programs are

monitored on a five- year cycle with additional monitoring as part of the Kentucky’s Consolidated Monitoring process or on an as needed basis.

Kentucky has developed procedures for finance audits for IDEA Part B that is part of the on-site consolidated monitoring visit. These visits will occur on an annual basis and provide the Finance Officer in the district with assistance regarding Maintenance of Fiscal Effort (MoFE), technical assistance regarding the accounting system (MUNIS) including expenditure (general ledgers) with allocations, personnel and payroll reports, as well as review of financial documents, files, and records.

As required by IDEA 2004, OSEP makes an annual determination of each state’s compliance with IDEA and, in turn, each state makes a similar determination about every one of its local education associations (LEAs), at least for federal funding purposes. State Educational Agencies (SEAs) are required to make determinations annually for each school district using the same four levels as OSEP for each LEA. The Kentucky Department of Education used data and information, including on-site visits, hearings, audit or financial report concerns, and status of corrective action plans to make its “determinations.” This year’s district determinations were based on data from the 2012-2013 school year.

Historically, KDE’s issuing of annual determinations under IDEA Part B has placed a heavy emphasis on compliance. As a result, compliance has improved. However, a sole focus on compliance has not improved educational results and outcomes for students with disabilities. Therefore, next year, the KDE will include “results” in annual district determinations under the Individuals with Disabilities Education Act (IDEA) Part B in order to achieve a balance between compliance and results.

Infinite Campus (IC), Kentucky’s Student Information System (KSIS), provides data for many purposes including policy-making, budgetary planning, and educational program management and improvement. The KSIS enterprise system supports the state’s 173 local school districts and schools and provides a secure and seamless integration for collecting data needed by the local school districts, the state, and the federal government.

KSIS is the authoritative source for student data. This includes but is not limited to student demographics, attendance, behavior, health, grades, GPA, graduates, courses, teacher-student class rosters, and program participation including special education, gifted and talented, Title I, limited-English proficiency, Family Resource and Youth Services Centers, free and reduced meal status, preschool, and migrant. The data system also includes school, district, superintendent, principal, and teacher information. Additional information regarding the IC and KSIS is located on the KDE webpage at:

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

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 state of Kentucky provides schools and districts with technical assistance through a variety of resources.

The Kentucky Early Childhood Regional Training Centers (RTA) provide a range of services for the early childhood community including regional trainings/workshops, on-site consultations, lending library of materials, annual statewide and regional collaborative institutes. Additional information is located on the KDE webpage at:

<http://education.ky.gov/educational/pre/Pages/PRTC.aspx>

Kentucky’s Educational Cooperatives enhance the educational opportunities and outcomes of students by providing effective leadership and delivering specialized services in partnership with the Kentucky Department of Education (KDE), local school districts, institutes of higher education, and other service providers.

The Kentucky educational cooperatives work with the superintendents and staff of their member districts to provide opportunities for collaboration, strategic planning, and professional development. They deliver a wide range of customized services to their member districts, including opportunities to network with colleagues.

The educational cooperatives serve as a regional collaborative forum to enhance quality education, to provide a wide range of support services, and to model innovative administrative practices for the benefit of students through a united

voice. The educational cooperatives provide comprehensive educational services and programs that support member districts and schools.

Each educational cooperative has a special education division supported by the state education association (SEA) with IDEA discretionary funds. The educational cooperatives employ special education consultants to support transition, low incidence, and special education initiatives, as well as support in the Kentucky Core Academic Standards (KCAS). Literacy and math specialists, who have special education expertise, have been hired through these cooperatives to be the “boots on the ground” to build district capacity in supporting teachers working with students with disabilities. These efforts are likely to lead to all students, including students with disabilities, gaining greater access to and opportunity to learn the content presented in the KCAS.

The educational cooperatives, pursuant to receipt of IDEA funds, are developing a Regional Systemic Improvement Plan (RSIP), to accelerate learning and close achievement gaps for students with disabilities. The SSIP and RSIPs will enable Kentucky to deliver the differentiated technical assistance and support districts need, to improve educational results and outcomes for students with disabilities, and will support schools and districts in their comprehensive improvement planning.

Additional information is located on the KDE webpage at:

<http://education.ky.gov/specialed/excep/Pages/Kentucky-Special-Education-Cooperative-Network.aspx>

Kentucky Post-school Outcomes Center (KYPSO) provides support to schools and districts regarding the post-school outcomes of students with disabilities. KYPSO provides information regarding programs and practices to support secondary transition. KYPSO data are used to report Indicator 14. Additional information is located on their webpage at:

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

KDE contracts with Kentucky Early Childhood Data System (KEDS) to collect data for OSEP reporting on Indicator 7. Real-time videoconference training sessions are conducted to train preschool staff on approved methods for collecting and entering student data. KDE and KEDS staff conducted on-site meetings with preschool administrators and staff in spring 2014 for all school districts.

The Kentucky Early Childhood Data System (KEDS) offers frequent ongoing technical assistance (TA) provided by KDE, Preschool Regional Training Center (RTC), KY Early Learning Leadership (ELLN), and KEDS staff. TA to school districts includes phone, 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, and districts implement 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 via 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 provided guidance documents to support the development and creation of Individual Education Programs (IEPs) in the state of Kentucky. The IEP Guidance Document, the Specific Learning Disability Guidance Document, and the IEP and Lesson Plan Development Handbook are resources available to educators across the Commonwealth. Additional information is located on the KDE webpage at:

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

The State Personnel Development Grant (SPDG), awarded to Kentucky in 2012, focuses on two (2) major goals. The first goal focuses on supporting and training professionals to close the achievement gaps for students with disabilities, primarily through a statewide initiative called Co-Teaching for Gap Closure Initiative (CT4GC). The other goal focuses on supporting and training professionals working with students with low incidence disabilities. Additional information is located on the KDE webpage at:

<http://education.ky.gov/specialed/excep/Pages/State-Personnel-Development-Grant.aspx>

Coaching, funded through the regional cooperatives and the KDE, assists schools and districts in promoting teacher confidence and ensuring competence. Coaching is delivered as regular, embedded professional development designed to help teachers and staff use the program or innovation as intended and with fidelity.

KDE has contracted with the State Implementation and Scaling-up of Evidence- Based Practices (SISEP) Center for the new Indicator 17, State Systemic Improvement Plan (SSIP). Coaching will be a critical part of the work in Kentucky. Additional information is located on the following webpage links:

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

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

The Instructional Support Leadership Networks (ISLN) meet to provide the opportunity — over the long term — to deepen content and pedagogical understandings and competencies, as well as the leadership skills necessary to work with other adults in their own schools and districts. Each network focuses on developing the understandings, abilities and leadership skills necessary to implement Kentucky’s Characteristics of Highly Effective Teaching and Learning contextualized in Kentucky’s Academic Standards. Additional information is located on the KDE webpage at:

<http://education.ky.gov/pages/search.aspx?terms=Instructional+Supervisors+Network&affiliateId=EDUCATION>

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 state of Kentucky defines Professional Learning, according to 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. It is ongoing, relevant, job-embedded learning for educators at all stages of career development.

Kentucky has professional learning standards to support the preparation of Kentucky’s students for college and careers, and 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. Kentucky has issued new guidance around professional learning. This guidance was created for district-level personnel responsible for professional learning, and others providing or facilitating professional learning. The guidance highlights the definition of professional learning (pursuant to 704 KAR 3:035), 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>

The Early Childhood Regional Training Centers (RTCs) provide a range of services for the early childhood community including regional trainings/workshops, on-site consultations, lending library of materials, annual statewide and regional collaborative institutes. Additional information is located on the KDE webpage at:

<http://education.ky.gov/educational/pre/Pages/PRTC.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 (KYECS) and Kentucky Core Academic Standards (KCAS) 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/prim/Pages/Early-Learning-Leadership-Networks-\(ELLNs\).aspx](http://education.ky.gov/curriculum/prim/Pages/Early-Learning-Leadership-Networks-(ELLNs).aspx)

The Kentucky Educational Cooperative Network consists of eight (8) educational cooperatives located across the state. Each cooperative includes a special education division. The SEA provides grants to the cooperatives, through state IDEA discretionary funds, to support special education services in each region. All 173 local school districts, and the Kentucky Schools for the Blind and Deaf are members of a cooperative, an integral part of the larger educational cooperative. The educational cooperatives intend to assist local school districts in meeting the needs of its member districts. Services range from technical assistance, trainings, professional development, specialized services, research, and other needs identified by member districts and the Kentucky Department of Education.

Kentucky educational cooperatives provide assistance and expertise for the benefit of their member school districts.

The cooperatives provide comprehensive educational services and programs that support the member districts and their schools in their school improvement efforts. Member districts also work through the cooperatives to maximize their purchasing power, thereby improving their fiscal efficiency. 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) is a multi-phase, multi-year project designed to provide Kentucky public school educators with the 21st-century resources they need to carry out highly-effective teaching and learning in every classroom in Kentucky. CIITS went live statewide on August 1, 2011 and educators in the Commonwealth of Kentucky were provided educator only access.

In CIITS, teachers are able to access Kentucky academic standards that are directly linked, aligned, high-quality, multi-media, instructional resources. These classroom materials are designed to engage students in learning and reinforce the standards being taught. 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 create formative assessments based on particular standards with the help of a test item bank containing more than 11,000 items. When these tests are administered online or with a student response system, teachers can see at a glance how individual students are progressing toward mastery on a particular standard or concept. They see where learning gaps exist so that they can more easily design instructional experiences to meet individual student needs and adjust their instruction in support of learning. Additional information is located on the KDE webpage at:

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

The United States Department of Education (USDE) awarded a State Personnel Development Grant (SPDG) to Kentucky in 2012. The SPDG is professional learning that serves teachers, administrators, coaches, and consultants throughout the Commonwealth of Kentucky. The SPDG is broken into two major goals, one supporting and training the professionals to close achievement gaps for students with disabilities, primarily through a statewide initiative called Co-Teaching for Gap Closure Initiative (CT4GC), and one supporting and training the professionals working with students with low incidence disabilities. Additional information is located through the following links:

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

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

The ultimate goal of the Kentucky Department of Education (KDE), Division of Learning Services (DLS), is that all students, including students with disabilities, reach proficiency and graduate from high school ready for college and careers—whether postsecondary education, vocational training, integrated employment, continuing and adult education, adult services, independent living, or community participation.

The Kentucky Post School Outcome Center (KYPSO) develops and oversees the administration of the Kentucky Post School Outcome Study, a longitudinal investigation of the post school outcomes of Kentucky youth with educational disabilities during the final year of high school and one year after high school exit. KYPSO provides information regarding programs and practices to support secondary transition. KYPSO is funded by the KDE and is in the process of seeking additional external funding to conduct further research into factors predictive of post school success for Kentucky youth. Additional information is located through the following link:

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

The system of Leadership Networks in Kentucky was designed to support the quality implementation of the requirements set forth in Senate Bill 1 (2009). Specifically, the networks intention is to build the capacity of each district in the Commonwealth as they implement the Kentucky's Core Academic Standards (KCAS), develop assessment literacy among all educators, and work toward ensuring that every student is college and career ready. The vision for these networks is to ensure every school district in the Commonwealth of 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 experiences highly effective teaching, learning, and assessment practices in every classroom.

Stakeholder Involvement:

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

The state of Kentucky values stakeholder input on targets and the revision of targets for the State Performance Plan and Annual Performance Report (SPP/APR).

The State Advisory Panel for Exceptional Children (SAPEC) provides policy guidance to KDE with respect to special education and related services for children with disabilities in Kentucky as defined by special education regulations and applicable state and federal law. Membership of the advisory panel consists of members appointed by the Governor. The panel consists of a variety of groups with related interests in students with disabilities. Membership consists of 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 children with disabilities, and outside agency representatives. The public is invited to forums when the SAPEC meets.

The SAPEC has provided feedback to KDE when setting targets for the SPP/APR Indicators for FFY 13 through FFY 18, as well as provide insight into trends from historical data. Data analysis of trend data for each indicator assisted in determining trajectories for future SPP/APR targets. Additional information is located on the KDE webpage at the following link:

<http://education.ky.gov/specialed/excep/Pages/State-Advisory-Panel-for-Exceptional-Children.aspx>

Reporting to the Public:

How and where the State reported to the public on the FFY 2012 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 2012 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 2012 APR in 2014, is available.

The state of Kentucky reports publically on the KDE webpage the IDEA Part B Data on an annual basis. The following link provides information regarding the public reporting of 618 Data, the State Performance Plan (SPP) and information regarding Kentucky's IDEA State Application. The information is located on the KDE webpage at the following link:

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

OSEP Response

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		66.70%	71.30%	75.90%	80.50%	85.10%	85.10%	85.10%
Data	63.90%	64.30%	67.34%	72.07%	72.79%	74.19%	73.21%	73.21%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	74.30%	76.90%	79.60%	79.60%	79.60%	79.60%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 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 the FFY 13- FFY 18.

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

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2012-13 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec C151; Data group 696)	9/15/2014	Number of youth with IEPs graduating with a regular diploma	859	3091
SY 2012-13 Cohorts for Regulatory Adjusted-Cohort Graduation Rate (EDFacts file spec C151; Data group 696)	9/15/2014	Number of youth with IEPs eligible to graduate	1,641	4,162
SY 2012-13 Regulatory Adjusted Cohort Graduation Rate (EDFacts file spec C150; Data group 695)	9/23/2014	2012-13 Regulatory four-year adjusted-cohort graduation rate table	52.30%	Calculate <input checked="" type="checkbox"/>

Explanation of Alternate Data

The new targets set for FFY 2013 through 2018 reflect the establishment of a new baseline year because of the change in the data source for Indicator 1. OSEP requires the use of the same data for Indicator 1 that is reported to the federal Department of Education under Title 1 of the Elementary and Secondary Education Act (ESEA). When disaggregated ESEA data are not available, OSEP permits use of an alternate data source.

Prior to FFY 2013, the Kentucky Department of Education (KDE) had been granted an extension by the federal Office of Elementary and Secondary Education (OESE). The extension allowed the KDE a delay in reporting the four-year cohort graduation rate in Adequate Yearly Progress (AYP) determinations under the ESEA. Under the language of the OESE extension, KDE was allowed to report these data in 2013-14. KDE now has the disaggregated data as anticipated and can now report using the required measurement for Indicator 1. This change in the data source for Indicator 1 re-established our baseline to 74.30%.

Explanation of Data Discrepancy

Please explain why the calculated total does not match the adjusted cohort graduation rate reported to the CSPR.

The data submitted to the CSPR in September 2014 was incorrect. There was a miscalculation by the KDE in the four year cohort graduation rate. The calculation has been corrected and now matches the data that is publically reported in the Kentucky School Report Card. Our actual graduation rate is 74.3%

FFY 2013 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 2012 Data	FFY 2013 Target	FFY 2013 Data
3,091	4,162	73.21%	74.30%	74.27%

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.

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 youth with IEPs must meet in order to graduate with a regular diploma are the same as the conditions of youth without disabilities.

The Kentucky Department of Education (KDE) identifies the minimum credits required for graduation and the local district sets the local requirements in their district graduation policy (704 KAR 3:305)

<http://www.lrc.ky.gov/kar/704/003/305.htm>

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target ≤		5.08%	4.60%	3.84%	2.83%	2.71%	2.19%	2.19%
Data	5.48%	5.00%	4.24%	3.23%	3.10%	2.59%	2.71%	2.71%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≤	2.71%	2.51%	2.31%	2.11%	1.91%	1.71%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 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.

KDE has consulted the SAPEC regarding progress toward meeting the targets on an annual basis. For Indicator Two, KDE has set targets based upon the trajectories established in KDE's Strategic Delivery Plans. KDE is aligning to the Elementary and Secondary Education Act (ESEA) Waiver, and the KDE consulted with SAPEC in aligning to the ESEA waiver.

FFY 2013 SPP/APR Data

Number of youth with IEPs (ages 14-21) who exited special education due to dropping out	Total number of all youth with IEPs who left high school (ages 14-21)	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
667	24,709	2.71%	2.71%	2.70%

Use a different calculation methodology

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

As set forth in the measurement table, the KDE is choosing to use Option 2 for determining rates for Indicator 2. Option 2

allows use of the same data source and measurement that the State used to report in its FFY 2010 APR.

According to the federal definition adopted by the Kentucky Board of Education, a **dropout** is an individual who:

1. Was enrolled in school at some time during the previous school year;
2. Was not enrolled before October 1 of the current school year;
3. Has not graduated from high school or completed a state or district approved educational program such as a GED or Alternative High School Diploma pursuant to an Individualized Education Program (IEP); and
4. Does not meet any of the following exclusionary conditions: (a) transferred to another Kentucky public school district, private school, state or district approved education program or moved out of state or country; (b) temporarily absent due to suspension; or (c) deceased.

Additional information may be accessed through the link provided:

<http://education.ky.gov/AA/Reports/Pages/DropoutData.aspx>

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		45.00%	47.00%	50.00%	52.00%	54.00%	54.00%	54.00%
Data	45.50%	45.50%	47.00%	58.62%	63.79%	57.47%	21.20%	21.20%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	14.49%	23.04%	31.59%	40.14%	48.69%	57.25%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
175	69	10	21.20%	14.49%	14.49%

Provide additional information about this indicator (optional)

Due to the adoption of Kentucky Core Academic Standards (KCAS) and the Kentucky Performance Rating for Education Progress (K-PREP) statewide testing system based on higher standards, the Kentucky Department of Education (KDE) has established a new baseline and targets this year for Indicator 3A. The 2011 and 2012 historical data represent duplicate information as suggested to KDE by the Office of Special Education Programs (OSEP) until a new baseline and targets could be established this reporting year.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.
The State revised the baseline using FFY 2013 data, and OSEP accepts that revision.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Reading	A Grade 3	2013	Target ≥								
			Data								
	B Grade 4	2013	Target ≥								
			Data								
	C Grade 5	2013	Target ≥								
			Data								
	D Grade 6	2013	Target ≥								
			Data								
	E Grade 7	2013	Target ≥								
			Data								
	F Grade 8	2013	Target ≥								
			Data								
	G HS	2013	Target ≥								
			Data								
Math	A Grade 3	2013	Target ≥								
			Data								
	B Grade 4	2013	Target ≥								
			Data								
	C Grade 5	2013	Target ≥								
			Data								
	D Grade 6	2013	Target ≥								
			Data								
	E Grade 7	2013	Target ≥								
			Data								
	F Grade 8	2013	Target ≥								
			Data								
	G HS	2013	Target ≥								
			Data								

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
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FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

	FFY	2013	2014	2015	2016	2017	2018
Reading	A ≥ Grade 3	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	B ≥ Grade 4	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	C ≥ Grade 5	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	D ≥ Grade 6	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	E ≥ Grade 7	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	F ≥ Grade 8	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	G ≥ HS	98.00%	98.00%	98.00%	98.00%	98.00%	98.00%
Math	A ≥ Grade 3	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	B ≥ Grade 4	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	C ≥ Grade 5	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	D ≥ Grade 6	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	E ≥ Grade 7	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	F ≥ Grade 8	99.00%	99.00%	99.00%	99.00%	99.00%	99.00%
	G ≥ HS	98.00%	98.00%	98.00%	98.00%	98.00%	98.00%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

KDE consulted with the SAPEC three times in setting new targets for the FFY 13 through FFY 18. A description of each indicator was provided to 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 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. SAPEC provided feedback on the approval of the alignment of the participation rate for students with disabilities to the Elementary and Secondary Education Act (ESEA) Waiver and all students in Kentucky.

FFY 2013 SPP/APR Data: Reading Assessment

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
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FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A Grade 3	7,242	7,227		99.00%	99.79%
B Grade 4	6,981	6,965		99.00%	99.77%
C Grade 5	6,670	6,650		99.00%	99.70%
D Grade 6	5,882	5,862		99.00%	99.66%
E Grade 7	5,888	5,870		99.00%	99.69%
F Grade 8	5,499	5,479		99.00%	99.64%
G HS	4,797	4,729		98.00%	98.58%

FFY 2013 SPP/APR Data: Math Assessment

Group Name	Number of Children with IEPs	Number of Children with IEPs Participating	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A Grade 3	7,246	7,232		99.00%	99.81%
B Grade 4	6,981	6,965		99.00%	99.77%
C Grade 5	6,672	6,651		99.00%	99.69%
D Grade 6	5,883	5,862		99.00%	99.64%
E Grade 7	5,888	5,866		99.00%	99.63%
F Grade 8	5,499	5,477		99.00%	99.60%
G HS	4,119	4,044		98.00%	98.18%

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 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State revised the baseline for this indicator, and OSEP accepts those revisions.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Reading	A Grade 3	2013	Target ≥							40.22%	
			Data								
	B Grade 4	2013	Target ≥								
			Data								
	C Grade 5	2013	Target ≥								
			Data								
	D Grade 6	2013	Target ≥								
			Data								
	E Grade 7	2013	Target ≥								
			Data								
	F Grade 8	2013	Target ≥								
			Data								
	G HS	2013	Target ≥								
			Data								
Math	A Grade 3	2013	Target ≥							48.00%	
			Data								
	B Grade 4	2013	Target ≥								
			Data								
	C Grade 5	2013	Target ≥								
			Data								
	D Grade 6	2013	Target ≥								
			Data								
	E Grade 7	2013	Target ≥								
			Data								
	F Grade 8	2013	Target ≥								
			Data								
	G HS	2013	Target ≥								
			Data								

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
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FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

	FFY	2013	2014	2015	2016	2017	2018
Reading	A ≥ Grade 3	41.40%	48.80%	56.10%	63.40%	70.70%	78.00%
	B ≥ Grade 4	41.40%	48.80%	56.10%	63.40%	70.70%	78.00%
	C ≥ Grade 5	41.40%	48.80%	56.10%	63.40%	70.70%	78.00%
	D ≥ Grade 6	33.50%	41.80%	50.10%	58.50%	66.80%	75.10%
	E ≥ Grade 7	33.50%	41.80%	50.10%	58.50%	66.80%	75.10%
	F ≥ Grade 8	33.50%	41.80%	50.10%	58.50%	66.80%	75.10%
	G ≥ HS	29.00%	37.90%	45.80%	55.70%	63.70%	71.70%
Math	A ≥ Grade 3	35.90%	43.90%	51.90%	60.00%	68.00%	76.00%
	B ≥ Grade 4	35.90%	43.90%	51.90%	60.00%	68.00%	76.00%
	C ≥ Grade 5	35.90%	43.90%	51.90%	60.00%	68.00%	76.00%
	D ≥ Grade 6	32.10%	40.60%	49.10%	57.60%	66.10%	74.60%
	E ≥ Grade 7	32.10%	40.60%	49.10%	57.60%	66.10%	74.60%
	F ≥ Grade 8	32.10%	40.60%	49.10%	57.60%	66.10%	74.60%
	G ≥ HS	28.90%	37.80%	46.10%	55.60%	63.60%	71.60%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A	7,227	2,550		41.40%	35.28%

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Group Name	Children with IEPs who received a valid score and a proficiency was assigned	Number of Children with IEPs Proficient	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
Grade 3					
B Grade 4	6,965	2,318		41.40%	33.28%
C Grade 5	6,650	2,097		41.40%	31.53%
D Grade 6	5,862	1,385		33.50%	23.63%
E Grade 7	5,870	1,450		33.50%	24.70%
F Grade 8	5,479	1,040		33.50%	18.98%
G HS	4,729	732		29.00%	15.48%

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A Grade 3	7,232	1,896		35.90%	26.22%
B Grade 4	6,965	1,947		35.90%	27.95%
C Grade 5	6,651	1,779		35.90%	26.75%
D Grade 6	5,862	1,135		32.10%	19.36%
E Grade 7	5,866	1,014		32.10%	17.29%
F Grade 8	5,477	844		32.10%	15.41%
G HS	4,044	554		28.90%	13.70%

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 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State revised the baseline for this indicator using FFY 2013 data, and OSEP accepts those revisions.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target ≤		9.04%	7.95%	6.82%	5.68%	4.55%	3.41%	2.27%
Data	11.23%	9.04%	7.38%	7.39%	7.39%	0.56%	0.56%	0.56%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≤	2.29%	2.29%	1.71%	1.71%	1.14%	1.14%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 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.

FFY 2013 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 in the State	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
1	176	0.56%	2.29%	0.57%

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

For the Measurement, a Kentucky district is found to have a “significant discrepancy” under Indicator 4A if the following two criteria are met:

- A. The district suspends/expels students with disabilities for greater than ten days during a school year at a rate that is three times or greater than the *statewide rate* for these types of removals that year, and
- B. The district has at least ten students with disabilities who are subject to out-of school removals for greater than ten days

KDE annually calculates a *statewide rate* of out-of-school removals greater than ten days for children with disabilities, using data obtained through the Kentucky Student Information System (KSIS). This rate is based on the total number of Kentucky children with disabilities subject to out-of-school removals greater than ten days divided by the total number of children with disabilities within the state. A similar rate is calculated for each individual school district in the state, based on its local discipline data and count of children with disabilities.

In summary, Kentucky defines significant discrepancy as a rate that is three times greater than a specified comparison rate (the statewide rate). Using this definition, Kentucky determines a district to have a significant discrepancy for this indicator when its rate of out-of-school removals (suspension/ expulsion greater than ten days of children with disabilities) is three times or more the statewide rate of these types of removals. In addition, districts must suspend more than ten students with a disability for greater than ten days to meet the criteria for significant discrepancy.

“N Size”: Kentucky uses a minimum “n” size of ten or more students with a disability enrolled in the district. No districts were excluded from the calculation, based on the “n” size requirement.

For FFY 2013, using 2012-13 data, twenty-one 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 twenty-one, only one district also met the second criteria for significant discrepancy – that of suspending/ expelling ten or more students with disabilities for greater than ten days. Therefore, only one district met both criteria for determining significant discrepancy.

Actions required in FFY 2012 response table

The State reported that noncompliance identified in 2011 as a result of the review it conducted pursuant to 34 CFR §300.170(b) was partially corrected, and that noncompliance identified in FFY 2010 as a result of the review it conducted pursuant to 34 CFR §300.170(b) was not corrected. The State must report, in its FFY 2013 APR, on the correction of noncompliance that the State identified in FFY 2012 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 demonstrate, in the FFY 2013 APR, that it has verified that each district with remaining noncompliance identified in FFY 2011 and FFY 2010: (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 09-02.5 In the FFY 2013 APR, the State must describe the specific actions that were taken to verify the correction.

Responses to actions required in FFY 2012 response table, not including correction of findings

KDE staff conducted an extensive on-site visit for four days in October 2014, near the end of the one-year timeline for correction of 2012-2013 non-compliance, and reviewed suspension data and individual student records in key schools. All individual student noncompliance identified in 2012-2013 had been corrected, to satisfy Prong One of OSEP Memorandum 09-02.

A random review of other student folders revealed impressive improvements in Individual Education Programs (IEPs), the

use of positive behavior interventions and supports (PBIS), manifestation determinations conducted at five days of suspension and procedural safeguards. KDE staff also attended a day-long quarterly PBIS training for high-suspension high schools who are involved in a three-year professional learning initiative around school-wide PBIS, and a Data Review Team meeting of district leaders. KDE staff determined that the ten-page Corrective Action Plan for systemic non-compliance has been fully completed, and that suspensions have been substantially reduced. The systemic corrections satisfy Prong Two of *OSEP Memorandum 09-02*.

Looking ahead, it is notable that this district's suspension data for the next reporting period (2013-2014 school year) has been reduced so significantly that it now indicates no significant discrepancy in the rate of suspension of students with disabilities. As a result of the on-site visit and suspension data from the 2013-14 School Year, KDE staff concluded the district has corrected both individual and systemic non-compliance related to Indicator 4A.

FFY 2012 Identification of Noncompliance

Review of Policies, Procedures, and Practices (completed in FFY2013 using 2012-2013 data)

Description of review

KDE reviewed the policies and procedures of the one district with significant discrepancy relating to the development and implementation of Individual Education Programs (IEPs), the use of positive behavioral interventions and supports (PBIS), and procedural safeguards. All policies and procedures are in compliance with federal law. Many of the district's policies and procedures are more stringent than federal law requires.

KDE staff returned for an on-site visit to the district in November 2013, to review district disciplinary practices. Staff reviewed district-wide and school-specific discipline data, as well as individual records of students suspended for greater than ten days in the previous (2012-2013) school year. The areas reviewed included Admission and Release Committee (ARC) Conference Summaries, Manifestation Determinations, Individual Education Programs (IEPs), Functional Behavior Assessments (FBA) and Behavior Intervention Plans (BIPs).

The November 2013 review documented much progress in initiating positive changes. However, staff noted inconsistency of key practices in random record reviews related to students newly-suspended for greater than ten days and determined that the district needed another year to complete and solidify improvements related to the development and implementation of IEPs, the use of positive behavior interventions and supports, and procedural safeguards. Moreover, the district's suspension data for 2012-13 continued to show a significant discrepancy.

- 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.

KDE required an extensive Corrective Action Plan (CAP) for the district, which targeted specific systemic practices including policy review and revision related to Indicator 4A. (The CAP also mandated individual student reviews and individual student corrections.)

KDE required continued quarterly progress reporting on district CAP activities and ongoing district-wide data analysis/reporting. In addition, staff provided ongoing consultation to the district throughout the year to support CAP implementation.

In November 2014, KDE staff made an on-site visit to the district to review individual student records and systemic progress on the extensive CAP activities assigned/continued from last year. Staff reviewed the records of individual students cited from the previous year (SY 2012-2013), the records of all students suspended in the ensuing school year since the last November 2013 visit (based on SY 2013-2014 data), and the records of students recently suspended up to five days in the current school year (SY 2014-2015) to date.

The records of individual students cited from the previous year (SY 2012-2013) verified correction of individual instances of noncompliance, consistent with Prong One of *OSEP Memorandum 09-02*.

KDE's random review of records of students who had been suspended since the November 2013 visit verified the records were in compliance with the disciplinary requirements of IDEA, indicating changes in policies, procedures and practices had occurred.

The district currently maintains discipline policies and procedures, which fully comply with IDEA. In an effort to strengthen district practices, the district has adopted new discipline policies and procedures which are more stringent than federal requirements and currently requires most procedural safeguards, including a team meeting, problem analysis, manifestation determination, and interventions at five days of suspension, in an effort to prevent students reaching ten days of suspension.

To ensure that district practices were changing, KDE staff have been on-site repeatedly over the last two years and have made annual site visits with a formal team to observe and monitor district progress. For example, KDE staff attended a day-long quarterly PBIS training for high-suspension high schools that are involved in a three-year professional learning initiative around school-wide PBIS, and a Data Review Team meeting of district leaders.

The district has completed the initial implementation of all CAP activities, including the following:

- district PBIS training for all high-suspension high schools
- regular suspension data review and joint analysis by district level leadership in general and special education on a team together
- regular communication of that data to all district principals
- the creation of a new electronic discipline data dashboard (which allows school-level analysis and individual flagging of individual students, tracking and intervention for all students suspended for greater than five cumulative school days per year)
- a district-wide focus on discipline, and training regarding IEP development and implementation for students with disabilities who are repeatedly suspended

Although initial CAP activities were completed successfully, the district's 2012-12 school year suspension data continued to show a significant discrepancy. The data, along with the extensive breadth of the CAP and the large number of changes initiated, caused KDE to make the determination to keep the district's CAP open. For KDE to find the district had complied with *OSEP Memorandum 09-02* required KDE to make the decision that it had *reasonable confidence* that all systemic violations had been corrected. KDE's knowledge of implementation science and the amount of time it takes to effectuate systems change allowed KDE to continue to keep the district's CAP open.

KDE staff determined the district needed to continue to exert substantial energy in maintaining the training focus and progress monitoring. The systemic focus was to continue in this area to establish and sustain systemic district-wide changes initiated in school-wide PBIS training and individual student discipline policies and practices.

 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 2012

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
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Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	null	1	0

FFY 2012 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

In October 2014, a KDE team conducted a four-day on-site visit to the district for verification of district reporting and documentation around the Corrective Action Plan (CAP) implementation and demonstration of required changes in discipline policies, procedures and practices. The on-site visit included reviews of the following:

- randomly selected, individual IEP student records of students suspended greater than ten days
- review of extensive documentation of all activities specified by the CAP
- on-site attendance at district-wide positive behavior interventions and supports (PBIS) training of all high-suspension high schools
- review of root cause analysis profiles of each high-suspension high school, detailed analysis of individual school progress with national PBIS trainer
- attendance at monthly District Leadership Data Review Team Meeting
- demonstration and review of new district data system
- review of manifestation determination meetings procedures and records
- review of new Student Code of Conduct and special education discipline policies and procedures for students with disabilities.

KDE staff have monitored and had ongoing discussions with district leadership regarding the following:

- district-wide initiatives to regularly review discipline data at the highest levels of district and school administration
- implementation of early flagging systems for students who are beginning to fail, increase culturally responsive instruction and discipline practices
- implementation of PBIS district-wide in all schools, with over sixty district schools currently receive ongoing job-embedded professional learning around PBIS
- integration of restorative justice concepts into routine discipline practices
- provision of training to all administrators in Admission and Release Committee (ARC) meeting routines and proactive use of manifestation determination analysis and problem solving for students with over five days of suspension
- provision of IEP/specially designed instruction (SDI) training to teachers focused on how to incorporate behavior and social skill instruction
- brokerage of early behavioral health services for students in trauma who need them

KDE also reviewed the district's suspension data for the 2013-14 School Year and found the district no longer has a significant discrepancy under Indicator 4A.

Based on the district's compliance with all systemic CAP provisions, the review of randomly selected companion folders of recently suspended students and the 2013-14 suspension data showing the district no longer has significant discrepancy under Indicator 4A, the district is now in compliance with Prong Two of *OSEP Memorandum 09-02*.

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

In October 2014, the KDE On-Site Visit Team reviewed records of all previously-cited individual student non-compliance to verify that individual cases of noncompliance were corrected. The individual student records had been corrected and are now in compliance with IDEA.

KDE verified that Prong One of *OSEP Memorandum 09-02* has been satisfied, based on the district's correction of individual instances of noncompliance.

FFY 2011 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

Findings of noncompliance for Indicator 4A were originally made, based on FFY 2010-11 data. KDE conducted an on-site visit to the district in December 2012 but due to the systemic nature of the noncompliance, the district was unable to correctly implement all regulatory requirements. The FFY 2010 CAP was then extended to FFY 2011.

A second on-site visit by KDE staff occurred in November 2013 for the purpose of closing the FFY 2010 and FFY 2011 CAPs. While the district had made great progress with the CAP activities, the CAP had not been fully implemented. Moreover, data for both FFY 2010 and 2011 showed the district continued to have a significant discrepancy under Indicator 4A. The FFY 2011 CAP, including the findings of noncompliance made in FFY 2010, was extended to FFY 2012.

In October 2014, a KDE team conducted a third on-site visit to determine if the district was correctly implementing the regulatory requirements of Indicator 4A. The results of this visit are described above, under **FFY 2011 Findings of Noncompliance Verified as Corrected**.

Based on the review of randomly selected student folders, compliance with all facets of the CAP and data (from FFY 2013) that demonstrated the district no longer has a significant discrepancy under Indicator 4A, Prong Two of *OSEP Memorandum 09-02* has been satisfied.

KDE has reasonable confidence that the district identified with noncompliance in FFY 2011 corrected the noncompliance according to *OSEP Memorandum 09-02*.

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

During KDE's on-site visit in November 2013, staff reviewed all individual student records for previously cited individual non-compliance.

The review verified the district had made corrections for each case of individual noncompliance and had complied with Prong One of *OSEP Memorandum 09-02*.

FFY 2010 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

Findings of noncompliance for Indicator 4A were originally made based on FFY 2010 data. KDE conducted an on-site visit to the district in December 2012 but due to the systemic nature of the noncompliance, the district was unable to correctly implement all regulatory requirements. The FFY 2010 CAP was then extended to FFY 2011.

A second on-site visits by KDE staff occurred in November 2013 for the purpose of closing the FFY 2010 and FFY 2011 CAPs. While the district had made great progress with the CAP activities, the CAP had not been fully implemented. Moreover, data for both FFY 2010 and 2011 showed the district continued to have a significant discrepancy under Indicator 4A. The FFY 2011 CAP, including the findings of noncompliance made in FFY 2010, was extended to FFY 2012.

In October 2014, a KDE team conducted a third on-site visit to determine if the district was correctly implementing the regulatory requirements of Indicator 4A. The results of this visit are described above, under **FFY 2010 Findings of**

Noncompliance Verified as Corrected.

Based on the review of randomly selected student folders, compliance with all facets of the CAP and suspension data (from the 2013-14 School Year) that demonstrated the district no longer has a significant discrepancy under Indicator 4A, Prong Two of *OSEP Memorandum 09-02* has been satisfied.

KDE has reasonable confidence that the district identified with noncompliance in FFY 2010 corrected the noncompliance according to *OSEP Memorandum 09-02*.

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

During KDE's on-site visit in December 2012, staff reviewed all individual student records for previously cited individual non-compliance.

The review verified the district had made corrections for each case of individual noncompliance and complied with Prong One of *OSEP Memorandum 09-02*.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		0%	0%	0%	0%	0%	0%	0%
Data					0.60%	0.56%	0.56%	0.56%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
1	1	176	0.56%	0%	0.57%

All races and ethnicities were included in the review

State's definition of "significant discrepancy" and methodology

For the Measurement, a Kentucky district is found to have a "significant discrepancy" under Indicator 4B if both of the following two 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 annual *statewide rate* for these types of removals for all Kentucky students with disabilities that year, and
- B. The district has at least ten students with disabilities in that racial or ethnic category who are subject to out-of-school removals for greater than ten days in the school year.

In summary, Kentucky determines a district to have a significant discrepancy for this indicator when its rate of out-of-school removals (greater than ten days a year of children with disabilities) for a specific racial or ethnic category is three times or more the statewide rate for these types of removals. In addition, districts must suspend more than ten students with a disability of that race/ ethnicity for greater than ten days to meet the criteria for significant discrepancy.

Many districts in Kentucky are very small and rural. In these districts, the number of students with Individual Education Programs (IEPs) in any given racial or ethnic category are often very small. These small numbers 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 employed as a criteria.

If a district is found to have a significant discrepancy in a particular racial or ethnic category, KDE will review the district's policies, procedures, and practices. 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.

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 rate for all students with disabilities:

- Zero 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
- Three districts had a significant discrepancy for the "Multiple" category

However, of those districts listed, only one district met the second criteria required for being determined to rise to the level of "significant discrepancy", due to also having at least ten students in the specific race/ethnicity subgroup who were subject to disciplinary removal for greater than ten days in a school year. Only one district in Kentucky met both criteria for determining that a "significant discrepancy" exists in the district for Indicator 4B.

Provide additional information about this indicator (optional)

For FFY 2013, using 2012-3 suspension data, the number of Kentucky school districts decreased by one due to the merger of two Kentucky school districts during the 2011-2012 School Year.

The FFY 2012 Indicator 4 APR used data from the 2011-12 School Year. The denominator was 174 school districts, plus Kentucky School for the Blind and Kentucky School for the Deaf, for a total of 176 districts.

The FFY 2013 SPP used 2012-13 School Year data for Indicator 4. Due to the districts' merger, the denominator was 173 districts, plus the two state schools for a total of 175 districts.

Actions required in FFY 2012 response table

The State reported that noncompliance identified in FFY 2010 as a result of the review it conducted pursuant to 34 CFR §300.170(b) was partially corrected. Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2012, the State must report on the status of correction of noncompliance identified in FFY 2012 for this indicator. The State must demonstrate, in the FFY 2013 APR, that the districts identified with noncompliance in FFY 2012, and the district with remaining noncompliance identified in FFY 2010, 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 2013 APR, the State must describe the specific actions that were taken to verify the correction.

Responses to actions required in FFY 2012 response table, **not including correction of findings**

KDE staff conducted an extensive on-site visit for four days in October 2014, near the end of the one-year timeline for correction of 2012-2013 non-compliance, and reviewed suspension data and individual student records in key schools. All individual student noncompliance identified in 2012-2013 had been corrected, to satisfy Prong One of OSEP Memorandum 09-02.

A random review of other student folders revealed impressive improvements in Individual Education Programs (IEPs), the use of positive behavior interventions and supports (PBIS), manifestation determinations conducted at five days of suspension and procedural safeguards. KDE staff also attended a day-long quarterly PBIS training for high-suspension high schools who are involved in a three-year professional learning initiative around school-wide PBIS, and a Data Review Team meeting of district leaders. KDE staff determined that the ten-page Corrective Action Plan for systemic non-compliance has been fully completed, and that suspensions have been substantially reduced. The systemic corrections satisfy Prong Two of *OSEP Memorandum 09-02*.

Looking ahead, it is notable that this district's suspension data for the next reporting period (2013-2014 school year) has been reduced so significantly that it now indicates no significant discrepancy in the rate of suspension of students with disabilities. As a result of the on-site visit and suspension data from the 2013-14 School Year, KDE staff concluded the district has corrected both individual and systemic non-compliance related to Indicator 4B.

FFY 2012 Identification of Noncompliance

Review of Policies, Procedures, and Practices (completed in FFY2013 using 2012-2013 data)

Description of review

KDE reviewed the policies and procedures of the one district with significant discrepancy relating to the development and implementation of Individual Education Programs (IEPs), the use of positive behavioral interventions and supports (PBIS), and procedural safeguards. All policies and procedures are in compliance with federal law. Many of the district's policies and procedures are more stringent than federal law requires.

KDE staff returned for an on-site visit to the district in November 2013, to review district disciplinary practices. Staff reviewed district-wide and school-specific discipline data, as well as individual records of students suspended for greater than ten days in the previous (2012-2013) school year. The areas reviewed included Admission and Release Committee (ARC) Conference Summaries, Manifestation Determinations, Individual Education Programs (IEPs), Functional Behavior Assessments (FBA) and Behavior Intervention Plans (BIPs).

The November 2013 review documented much progress in initiating positive changes. However, staff noted inconsistency of key practices in random record reviews related to students newly-suspended for greater than ten days and determined that the district needed another year to complete and solidify improvements related to the development and implementation of IEPs, the use of positive behavior interventions and supports, and procedural safeguards. Moreover, the district's suspension data for 2012-13 continued to show a significant discrepancy.

 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.

KDE required an extensive Corrective Action Plan (CAP) for the district, which targeted specific systemic practices including policy review and revision related to Indicator 4B. (The CAP also mandated individual student reviews and individual student corrections.)

KDE required continued quarterly progress reporting on district CAP activities and ongoing district-wide data analysis/reporting. In addition, staff provided ongoing consultation to the district throughout the year to support CAP implementation.

In November 2014, KDE staff made an on-site visit to the district to review individual student records and systemic progress on the extensive CAP activities assigned/continued from last year. Staff reviewed the records of individual students cited from the previous year (SY 2012-2013), the records of all students suspended in the ensuing school year since the last November 2013 visit (based on SY 2013-2014 data), and the records of students recently suspended up to five days in the current school year (SY 2014-2015) to date.

The records of individual students cited from the previous year (SY 2012-2013) verified correction of individual instances of noncompliance, consistent with Prong One of *OSEP Memorandum 09-02*.

KDE's random review of records of students who had been suspended since the November 2013 visit verified the records were in compliance with the disciplinary requirements of IDEA, indicating changes in policies, procedures and practices had occurred.

The district currently maintains discipline policies and procedures, which fully comply with IDEA. In an effort to strengthen district practices, the district has adopted new discipline policies and procedures which are more stringent than federal requirements and currently requires most procedural safeguards, including a team meeting, problem analysis, manifestation determination, and interventions at five days of suspension, in an effort to prevent students reaching ten days of suspension.

To ensure that district practices were changing, KDE staff have been on-site repeatedly over the last two years and have made annual site visits with a formal team to observe and monitor district progress. For example, KDE staff attended a day-long quarterly PBIS training for high-suspension high schools that are involved in a three-year professional learning initiative around school-wide PBIS, and a Data Review Team meeting of district leaders.

The district has completed the initial implementation of all CAP activities, including the following:

- district PBIS training for all high-suspension high schools
- regular suspension data review and joint analysis by district level leadership in general and special education on a team together
- regular communication of that data to all district principals
- the creation of a new electronic discipline data dashboard (which allows school-level analysis and individual flagging of individual students, tracking and intervention for all students suspended for greater than five cumulative school days per year)

- a district-wide focus on discipline, and training regarding IEP development and implementation for students with disabilities who are repeatedly suspended

Although initial CAP activities were completed successfully , the district's 2012-12 school year suspension data continued to show a significant discrepancy. The data, along with the extensive breadth of the CAP and the large number of changes initiated, caused KDE to make the determination to keep the district's CAP open. For KDE to find the district had complied with *OSEP Memorandum 09-02* required KDE to make the decision that it had *reasonable confidence* that all systemic violations had been corrected. KDE's knowledge of implementation science and the amount of time it takes to effectuate systems change allowed KDE to continue to keep the district's CAP open.

KDE staff determined the district needed to continue to exert substantial energy in maintaining the training focus and progress monitoring. The systemic focus was to continue in this area to establish and sustain systemic district-wide changes initiated in school-wide PBIS training and individual student discipline policies and practices.

Correction of Findings of Noncompliance Identified in FFY 2012

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
1	1	null	0

FFY 2012 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

In October 2014, a KDE team conducted a four-day on-site visit to the district for verification of district reporting and documentation around the Corrective Action Plan (CAP) implementation and demonstration of required changes in discipline policies, procedures and practices. The on-site visit included reviews of the following:

- randomly selected, individual IEP student records of students suspended greater than ten days
- review of extensive documentation of all activities specified by the CAP
- on-site attendance at district-wide positive behavior interventions and supports (PBIS) training of all high-suspension high schools
- review of root cause analysis profiles of each high-suspension high school, detailed analysis of individual school progress with national PBIS trainer
- attendance at monthly District Leadership Data Review Team Meeting
- demonstration and review of new district data system
- review of manifestation determination meetings procedures and records
- review of new Student Code of Conduct and special education discipline policies and procedures for students with disabilities.

KDE staff have monitored and had ongoing discussions with district leadership regarding the following:

- district-wide initiatives to regularly review discipline data at the highest levels of district and school administration
- implementation of early flagging systems for students who are beginning to fail, increase culturally responsive instruction and discipline practices
- increase in culturally responsive instruction and discipline practices
- implementation of PBIS district-wide in all schools, with over sixty district schools currently receive ongoing job-embedded professional learning around PBIS

- integration of restorative justice concepts into routine discipline practices
- provision of training to all administrators in Admission and Release Committee (ARC) meeting routines and proactive use of manifestation determination analysis and problem solving for students with over five days of suspension
- provision of IEP/specially designed instruction (SDI) training to teachers focused on how to incorporate behavior and social skill instruction
- brokerage of early behavioral health services for students in trauma who need them

KDE also reviewed the district's suspension data for the 2013-14 School Year and found the district no longer has a significant discrepancy under Indicator 4B.

Based on the district's compliance with all systemic CAP provisions, the review of randomly selected companion folders of recently suspended students and the 2013-14 suspension data showing the district no longer has significant discrepancy under Indicator 4B, the district is now in compliance with Prong Two of *OSEP Memorandum 09-02*.

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

In October 2014, the KDE On-Site Visit Team reviewed records of all previously-cited individual student non-compliance to verify that individual cases of noncompliance were corrected. The individual student records had been corrected and are now in compliance with IDEA.

KDE verified that Prong One of *OSEP Memorandum 09-02* has been satisfied, based on the district's correction of individual instances of noncompliance related to Indicator 4B.

FFY 2011 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

Findings of noncompliance for Indicator 4B were originally made, based on FFY 2010-11 data. KDE conducted an on-site visit to the district in December 2012 but due to the systemic nature of the noncompliance, the district was unable to correctly implement all regulatory requirements. The FFY 2010 CAP was then extended to FFY 2011.

A second on-site visit by KDE staff occurred in November 2013 for the purpose of closing the FFY 2010 and FFY 2011 CAPs. While the district had made great progress with the CAP activities, the CAP had not been fully implemented.

Moreover, data for both FFY 2010 and 2011 showed the district continued to have a significant discrepancy under Indicator 4B. The FFY 2011 CAP, including the findings of noncompliance made in FFY 2010, was extended to FFY 2012.

In October 2014, a KDE team conducted a third on-site visit to determine if the district was correctly implementing the regulatory requirements of Indicator 4B. The results of this visit are described above, under **FFY 2011 Findings of Noncompliance Verified as Corrected.**

Based on the review of randomly selected student folders, compliance with all facets of the CAP and data (from FFY 2013) that demonstrated the district no longer has a significant discrepancy under Indicator 4B, Prong Two of *OSEP Memorandum 09-02* has been satisfied.

KDE has reasonable confidence that the district identified with noncompliance in FFY 2011 corrected the noncompliance according to *OSEP Memorandum 09-02*.

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

During KDE's on-site visit in November 2013, staff reviewed all individual student records for previously cited individual non-compliance.

The review verified the district had made corrections for each case of individual noncompliance and had complied with Prong One of *OSEP Memorandum 09-02*.

FFY 2010 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

Findings of noncompliance for Indicator 4A were originally made based on FFY 2010 data. KDE conducted an on-site visit to the district in December 2012 but due to the systemic nature of the noncompliance, the district was unable to correctly implement all regulatory requirements. The FFY 2010 CAP was then extended to FFY 2011.

A second on-site visits by KDE staff occurred in November 2013 for the purpose of closing the FFY 2010 and FFY 2011 CAPs. While the district had made great progress with the CAP activities, the CAP had not been fully implemented. Moreover, data for both FFY 2010 and 2011 showed the district continued to have a significant discrepancy under Indicator 4A. The FFY 2011 CAP, including the findings of noncompliance made in FFY 2010, was extended to FFY 2012.

In October 2014, a KDE team conducted a third on-site visit to determine if the district was correctly implementing the regulatory requirements of Indicator 4A. The results of this visit are described above, under **FFY 2010 Findings of Noncompliance Verified as Corrected.**

Based on the review of randomly selected student folders, compliance with all facets of the CAP and suspension data (from the 2013-14 School Year) that demonstrated the district no longer has a significant discrepancy under Indicator 4A, Prong Two of *OSEP Memorandum 09-02* has been satisfied.

KDE has reasonable confidence that the district identified with noncompliance in FFY 2010 corrected the noncompliance according to *OSEP Memorandum 09-02*.

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

During KDE's on-site visit in December 2012, staff reviewed all individual student records for previously cited individual non-compliance.

The review verified the district had made corrections for each case of individual noncompliance and complied with Prong One of *OSEP Memorandum 09-02*.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Because the State reported less than 100% compliance (greater than 0% actual target data for this indicator) for FFY 2013, the State must report on the status of correction of noncompliance identified in FFY 2013 for this indicator. The State must demonstrate, in the FFY 2014 APR, that the districts identified with noncompliance in FFY 2013 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 2014 APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

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

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target A ≥	71.80%	71.80%	71.80%	71.80%	71.80%	71.80%
Target B ≤	8.70%	8.70%	8.70%	8.70%	8.70%	8.70%
Target C ≤	1.90%	1.90%	1.90%	1.90%	1.90%	1.90%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (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. KDE consulted with the SAPEC again in November 2014 and January 2015 to discuss the research gathered in answering questions asked of the panel. Kentucky has historically had data for least restrictive environments that is above the national average.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	Total number of children with IEPs aged 6 through 21	80,135	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	57,946	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	6,756	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	c1. Number of children with IEPs aged 6 through 21 in separate schools	502	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	c2. Number of children with IEPs aged 6 through 21 in residential facilities	311	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C002; Data group 74)	7/3/2014	c3. Number of children with IEPs aged 6 through 21 in homebound/hospital placements	678	null

FFY 2013 SPP/APR Data

	Number of children with IEPs aged 6 through 21 served	Total number of children with IEPs aged 6 through 21	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A. Number of children with IEPs aged 6 through 21 inside the regular class 80% or more of the day	57,946	80,135	71.80%	71.80%	72.31%
B. Number of children with IEPs aged 6 through 21 inside the regular class less than 40% of the day	6,756	80,135	8.73%	8.70%	8.43%
C. Number of children with IEPs aged 6 through 21 inside separate schools, residential facilities, or homebound/hospital placements [c1+c2+c3]	1,491	80,135	1.90%	1.90%	1.86%

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
A	2011	Target ≥								63.30%
		Data							63.36%	64.94%
B	2011	Target ≤								6.81%
		Data							6.81%	5.04%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target A ≥	63.30%	64.00%	64.00%	64.00%	64.00%	64.00%
Target B ≤	6.81%	6.00%	6.00%	6.00%	6.00%	6.00%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

The SAPEC and KDE determined that the data was still developing and until a trajectory of results could be determined, the data needs to stabilize and be analyzed over a longer period of time. Targets will be reviewed as data is collected in future SPP/APRs.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec	7/3/2014	Total number of children with IEPs aged 3 through 5	17,332	null

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Source	Date	Description	Data	Overwrite Data
C089; Data group 613)				
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/3/2014	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	11,283	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/3/2014	b1. Number of children attending separate special education class	699	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/3/2014	b2. Number of children attending separate school	100	null
SY 2013-14 Child Count/Educational Environment Data Groups (EDFacts file spec C089; Data group 613)	7/3/2014	b3. Number of children attending residential facility	n	null

FFY 2013 SPP/APR Data

	Number of children with IEPs aged 3 through 5 attending	Total number of children with IEPs aged 3 through 5	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A. A regular early childhood program and receiving the majority of special education and related services in the regular early childhood program	11,283	17,332	64.94%	63.30%	65.10%
B. Separate special education class, separate school or residential facility	802	17,332	5.04%	6.81%	4.63%

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
A1	2013	Target ≥					56.00%	72.00%	81.00%	82.00%
		Data				68.10%	82.10%	84.00%	84.00%	88.00%
A2	2013	Target ≥					35.00%	50.00%	60.00%	61.00%
		Data				39.70%	57.80%	68.00%	40.00%	64.00%
B1	2013	Target ≥					57.00%	64.00%	81.00%	82.00%
		Data				62.70%	64.70%	87.00%	72.00%	74.00%
B2	2013	Target ≥					35.00%	48.00%	58.00%	59.00%
		Data				35.50%	52.60%	72.00%	28.00%	30.00%
C1	2013	Target ≥					49.00%	70.00%	81.00%	82.00%
		Data				31.70%	83.90%	86.00%	84.00%	85.00%
C2	2013	Target ≥					34.00%	50.00%	62.00%	63.00%
		Data				27.60%	60.90%	70.00%	35.00%	57.00%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target A1 ≥	49.29%	49.30%	49.30%	50.00%	50.00%	50.50%
Target A2 ≥	39.11%	39.20%	39.20%	40.00%	40.00%	40.50%
Target B1 ≥	67.42%	67.40%	67.40%	68.00%	68.00%	68.50%
Target B2 ≥	39.85%	39.90%	39.90%	40.50%	40.50%	41.00%
Target C1 ≥	50.67%	50.70%	50.70%	51.50%	51.50%	52.00%
Target C2 ≥	35.67%	35.70%	35.70%	36.50%	36.50%	37.00%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

New algorithms were used during FFY13 to more accurately calculate a child’s level of development and therefore, while the scores for FFY 13 are lower, they are more accurate than they were 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 2013 SPP/APR Data

Number of preschool children aged 3 through 5 with IEPs assessed	6,055
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Outcome A: Positive social-emotional skills (including social relationships)

	Number of Children
a. Preschool children who did not improve functioning	256
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	2,304
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,127
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,361
e. Preschool children who maintained functioning at a level comparable to same-aged peers	1,007

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 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. $(c+d)/(a+b+c+d)$	2,488	5,048	88.00%	49.29%	49.29%
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. $(d+e)/(a+b+c+d+e)$	2,368	6,055	64.00%	39.11%	39.11%

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

	Number of Children
a. Preschool children who did not improve functioning	178
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	1,466
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,998
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,404
e. Preschool children who maintained functioning at a level comparable to same-aged peers	1,009

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 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. $(c+d)/(a+b+c+d)$	3,402	5,046	74.00%	67.42%	67.42%
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. $(d+e)/(a+b+c+d+e)$	2,413	6,055	30.00%	39.85%	39.85%

Outcome C: Use of appropriate behaviors to meet their needs

	Number of Children
a. Preschool children who did not improve functioning	192
b. Preschool children who improved functioning but not sufficient to move nearer to functioning comparable to same-aged peers	2,399
c. Preschool children who improved functioning to a level nearer to same-aged peers but did not reach it	1,304
d. Preschool children who improved functioning to reach a level comparable to same-aged peers	1,357
e. Preschool children who maintained functioning at a level comparable to same-aged peers	803

	Numerator	Denominator	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 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. $(c+d)/(a+b+c+d)$	2,661	5,252	85.00%	50.67%	50.67%
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. $(d+e)/(a+b+c+d+e)$	2,160	6,055	57.00%	35.67%	35.67%

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.

Measurement: Overview of System:

In FFY 13, Kentucky (KY) completed the eighth year of the statewide student progress measurement system for all students in the public preschool program. This report summarizes assessment data collected in fall and winter of 2013 and spring of 2014 for all districts. Subsequent to a five-year phase-in of district assessments, this is the third year data have been collected and analyzed for all 173 districts across the state.

Approach: The KY 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 ten Kentucky approved assessment instruments for monitoring student progress, five instruments were approved for primary use**; the remaining instruments were approved 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);*
- *Brigance Early Inventory of Early Development II (Brigance IED-II, 2010);*
- ***Carolina Curriculum for Preschoolers with Special Needs (CCPSN; Johnson-Martin et al., 2004); and Carolina Curriculum for Infants and Toddlers with Special Needs (CCITSN, Third Edition, 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)*
- *HELP for Preschoolers: Assessment & Curriculum Guide (VORT Corporation, 1995);*
- ***COR Advantage (High/Scope, 2013); High/Scope Preschool Child Observation Record (Preschool COR; High/Scope, 2003); and High/Scope Child Observation Record for Infants and Toddlers (COR IT; High/Scope,*

2002);

- ****Teaching Strategies GOLD™** (Heroman, Burts, Berke, & Bickart, 2010); and
- ****Work Sampling System 4th Edition** (WSS; Dichtelmiller, Jablon, Marsden, & Meisels, 2004); and **Work Sampling for Head Start** (WSHS; Meisels, Dichtelmiller, Jablon, & Marsden, 2007, 2011).

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 enrolled after collection of the initial data point, they were instructed to assess students within four weeks of their start date. All districts transitioned from Preschool and IT COR to COR Advantage during FFY13. However, some entry assessments for students in the current analyses were conducted in FFY 12. Therefore, the current results include some data from both versions of the assessment.

Training and Technical Assistance: Real-time videoconference training sessions were conducted to train preschool staff on approved methods for collecting and entering student data. Kentucky Department of Education (KDE) and KY Early Childhood Data System (KEDS) staff conducted on-site meetings with preschool administrators and staff in spring 2014 for all school districts. KEDS staff presented the KEDS system for University of KY IECE assessment classes.

Frequent ongoing technical assistance (TA) has been provided by KDE, Preschool Regional Training Centers (RTCs), KY Early Learning Leadership Networks (ELLNs), and KEDS staff. TA to school districts included phone, email, and web trainings in the appropriate use of assessment tools and publishers' data entry systems. Validity measures were discussed with district preschool coordinators at regional meetings, and districts are 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 were maintained, disseminated via training, and posted on the KEDS website.

Data Collection: KEDS is housed at the University of Kentucky (UK) and provides a web-based platform for gathering data from multiple teachers for progress monitoring on *KY Early Childhood Standards*, OSEP child outcomes, and OSEP summary statements. Two types of data were collected. First, demographic data on each student were gathered from the KDE student information system (Infinite Campus) and imported into a statewide data platform at KEDS. Each student record was verified by district personnel (e.g., preschool coordinator or classroom teacher) and additional demographic information were captured.

Second, item-level assessment data were collected from classroom teachers and therapists for all students served by each district using online or paper/pencil formats, per publisher specifications. Data were either exported or entered into the KEDS system. Once all assessment data were received, they were matched to demographic data using the state-issued unique identifier (SSID), and imported into SPSS, Access, and SAS for analysis.

Data Analyses: Data analyses for student progress were based on two levels of detailed crosswalks as conducted by instrument publishers and early childhood experts.

- The first level of instrument crosswalk included two detailed steps. First, specific items on each approved assessment instrument were aligned to the *KY Early Childhood Standards* and benchmarks by the publisher for each assessment tool. These alignments were reviewed, revised, and approved by state early childhood staff. Second, each instrument crosswalk was reviewed in detail by an expert panel (including assessment and child development experts) to ensure coverage of the developmental continuum, alignment with KY benchmarks, and inclusion of examples describing each benchmark. This process included cross-assessment analyses. Once the review was completed, the expert panel age-anchored items for each benchmark. To determine consistent age anchors across tools, the panel utilized age-identified items for each instrument and, when not available, recommended behavioral sequences (Cohen and Gross, 1979). They also examined item similarity across assessments. All items were assigned to a six (6) month age band for age-appropriate functioning. All instrument

crosswalks were updated annually as instruments were revised by publishers.

- A second level crosswalk was then completed to align Kentucky's benchmarks and standards with the three Office of Special Education Program (OSEP) child outcomes. The expert panel identified the benchmarks that best measure student progress according to the three OSEP child outcomes. Then, the second level crosswalk was compiled to include, by instrument, specific assessment items that align with each benchmark, based on the developmental continuum for each benchmark and the definition of each outcome as provided by the Early Childhood Technical Assistance Center. These assessment-specific item sets were used for analyses of student progress on the OSEP child outcomes and summary target statements.

Description of data set: Students enrolled in the state preschool program (including all students receiving services under Part B, Section 619) for at least six months with at least two complete data points (e.g., assessed at least twice with an approved assessment) were included in analyses. Specific criteria for inclusion were: (a) students had been in the program a minimum of six months, (b) valid identifying student information (SSID and demographic information) was received, (c) assessment data were collected with one of the state-approved instruments via publisher approved data collection methods (web-based or paper/pencil), and (d) assessment data were at least 75% complete.

Methodology: To ensure data entry reliability, two data cleaning phases were implemented by KEDS staff. First, demographic fields collected within the KEDS system were reviewed to ensure all data were verified and matched with an SSID. Then, all assessments collected through KEDS and from publisher approved methods were collected and merged with the cleaned demographic information. Duplicate assessments were removed, as were assessments where a valid SSID could not be found. Final item scores were recoded to a dichotomous variable reflecting age-appropriate functioning. Each item was assigned a score of zero (*not age-appropriate functioning*) or one (*age-appropriate functioning*) based on the alignment work of the expert panel. The assigned item score was based on the student's age at the time of assessment.

The student's first and last assessments were utilized for OSEP analyses. Based on the first level crosswalk procedure, all item scores were analyzed to determine age-appropriate functioning. Then, items that correlated with each OSEP outcome were examined, and the percentage of items on which the student scored at age level at exit for each outcome calculated. This year, the analysis algorithms were modified to more accurately measure change in child level of functioning, by focusing on the 6-month age band corresponding to the child's age at exit in identifying age-appropriate functioning compared to same-age-peers.

In consultation with KDE, age-appropriate functioning, for categories c, d and e, was set at 40%, meaning a child had to have mastered 40% of the items within the 6-month age band at time of assessment. Analyses examined items in all age bands covered by the assessments when determining absolute progress for categories a and b. Three percentages (one for each OSEP outcome) were computed for each student on each assessment. Growth was determined by calculating the change in each percentage between the two assessments. Growth differences were categorized into five levels of functioning as specified by OSEP: (a) students who did not improve, i.e., did not move nearer to age-equivalent functioning and exhibited no change or a decrease in item scores, (b) students who improved but not sufficient to move nearer to age-equivalent functioning, i.e., exhibited an item gain but did not exhibit an increase in age-equivalent functioning, (c) students who improved functioning and moved nearer to age-equivalent functioning but did not reach that of same-aged peers, i.e., achieved age-equivalent functioning on at least one item, but less than 40% of items used to measure an outcome, (d) students who improved functioning reaching levels comparable to same-aged peers, i.e., reached age-appropriate functioning on at least 40% of items used to measure an outcome, and (e) students who maintained functioning comparable to same-aged peers, i.e., continued to function at age-level on 40% or more items for an outcome at both entry and exit from preschool.

Actions required in FFY 2012 response table

The State must report progress data and actual target data for FFY 2013 in the FFY 2013 APR.

Responses to actions required in FFY 2012 response table

New algorithms were used during FFY13 to more accurately calculate a child's level of development. Therefore, while the scores for FFY13 are lower, they are more accurate than in previous years. A new baseline and targets were established to reflect the more accurate data calculation.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State revised the baseline for this indicator using FFY 2013 data, and OSEP accepts those revisions.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target ≥		28.50%	29.00%	29.50%	30.00%	30.50%	31.00%	31.50%
Data		29.00%	23.00%	27.90%	34.00%	27.30%	31.10%	31.50%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target ≥	80.45%	80.55%	80.65%	80.75%	80.85%	80.95%

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 KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

KDE chose to reset the baseline for Indicator 8 in FFY 13 by using a state-developed survey that was sent to parents in districts within the previously approved sampling plan. The nine question survey was dispersed to parents and feedback was collected regarding schools facilitating parental involvement for parents of students with disabilities. KDE took the baseline survey results to the SAPEC in January 2015. The SAPEC approved targets for FFY 13- FFY 18 and will be involved in future changes, if needed, to the survey.

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
1,004	1,248	31.50%	80.45%	80.45%

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 Kentucky Department of Education (KDE) sent an e-mail to all Directors of Special Education (DOSEs) within the districts identified by the OSEP-approved sampling plan. The email requested the DoSEs to forward the electronic survey and cover letter to all of the districts' parents whose childrens had Individual Education Programs (IEPs). This message included a sample letter, as well as a link to the electronic survey. 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.

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

In order to follow the OSEP approved sampling plan, the survey was e-mailed to those districts in the sampling plan. Distributing the survey electronically did not allow a random sample to be taken from within larger districts, as was the case in previous years. The state's largest district, which is far more urban than the rest of the state, thus comprised approximately 50% of responses. Because this district has a higher percentage of African American students than the state as a whole, our respondents were more likely to be African American (15.9%) than the state's African American population (8.2%). Because African American respondents rated parental involvement lower than White parents, our indicator data is most likely somewhat inflated.

Was sampling used? Yes

Has your previously-approved sampling plan changed? No

Was a collection tool used? Yes

Is it a new or revised collection tool? Yes

Yes, the data accurately represent the demographics of the State

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

Submitted collection tool: [Kentucky 2014 Parent Survey](#)

Describe the sampling methodology outlining how the design will yield valid and reliable estimates.

Surveys were distributed to all parents of students with IEPs with e-mail addresses on file at thirty- three districts in the approved sampling plan. This included two Kentucky districts whose average daily attendance (ADA) totals 50,000 or more. The survey was developed by KDE with its contractor, the Human Development Institute at the University of Kentucky (HDI/UK). The item used for reporting Indicator 8 is worded in the most direct manner possible: "Did the school involve you in a meaningful way to improve services and results for your child?"

The distribution of respondents in the sample represents Kentucky's racial / ethnic distribution as follows:

Race/Ethnicity	% Sample	% Population
White	73.2%	85.6%
Black or African - American	15.9%	8.2%
Hispanic or Latino	2.4%	3.3%
Asian	1.8%	1.3%

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Native American	0.6%	0.3%
Multiple Race	5.9%	1.7%
Pacific Islander	0.3%	0.1%

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State revised the baseline for this indicator using FFY 2013 data, and OSEP accepts that revision.

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Required Actions

Indicator 9: Disproportionate Representations

Monitoring Priority: Disproportionate Representations

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		0%	0%	0%	0%	0%	0%	0%
Data	0%	3.44%	0%	1.14%	0%	0%	0.57%	0%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%

FFY 2013 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 in the State	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
6	0	175	0%	0%	0%

All races and ethnicities were included in the review

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

The Kentucky Department of Education (KDE) has determined that *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 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 a student with an IEP (**Numerator**)

Divided by

The risk for students in all other racial and ethnic groups of being 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 KDE's Growth Factor Reports and Section 618 data respectively.

The denominator is calculated by dividing the number of district students who have IEPs that are not in the specific racial and ethnic group, by the total 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 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 for having 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 one (1). 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 two (2).

In addition to a risk ratio of two or higher, KDE has included two additional criteria is determining disproportionate representation. They are:

- There must be ten or more students in the specific racial and ethnic group that 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, 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. Ten 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.

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, KDE randomly selects district students from the specific racial and ethnic group who have IEPs and requires the district to provide KDE with the students' educational records.

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

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

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

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table, not including correction of findings

N/A

Correction of Findings of Noncompliance Identified in FFY 2012

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 provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

Indicator 10: Disproportionate Representations in Specific Disability Categories

Monitoring Priority: Disproportionate Representations

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		0%	0%	0%	0%	0%	0%	0%
Data		14.94%	0%	4.55%	0%	3.41%	1.14%	0.57%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	0%	0%	0%	0%	0%	0%

FFY 2013 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 in the State	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
14	4	175	0.57%	0%	2.29%

Explanation of Slippage

All districts identified as having disproportionate representation that is the result of inappropriate identification were newly identified in FFY 2013.

KDE contacted the districts that were identified with disproportionate representation due to inappropriate identification, to request their explanation for the noncompliance. Several identified an increase of English Language (EL) students and the resulting misidentification of those students. In one district, student numbers increased from ninety (90) to over two hundred and fifty (250) students within a three-year period. Another district reported an increase in the transient student population, which caused the inappropriate identification.

All races and ethnicities were included in the review

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

The Kentucky Department of Education (KDE) has determined that *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 students in all other racial and ethnic groups.

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

In addition to a risk ratio of two or higher, KDE has included two additional criteria in determining disproportionate representation. They are:

- There must be ten 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, 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. Ten 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 district 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.

KDE uses desk audits to decide if students in the specific racial and ethnic group have been inappropriately identified in a disability category. If a district has disproportionate representation for Indicator 10, KDE randomly selects district students from the specific racial and ethnic group who are identified in the particular disability category. After selecting students, KDE requires the district to provide KDE with the students’ educational records.

KDE then uses its Compliance Record Review Document to determine whether the students have been appropriately identified under the particular disability category. If 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 KDE as having disproportionate representation of students under Indicator 10, due to inappropriate identification.

KDE’s Compliance Record Review Document may be found at:

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

Provide additional information about this indicator (optional)

Kentucky currently has 173 school districts, plus the Kentucky School for the Blind and Kentucky School for the Deaf. KDE has been advised by OSEP to use 175 districts as the denominator in the calculation, instead of 173.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table, not including correction of findings

N/A

Correction of Findings of Noncompliance Identified in FFY 2012

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
2	2	0	0

FFY 2012 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

Verification of Correction (either timely or subsequent):

As set forth in the next section, the Kentucky Department of Education (KDE) verified correction of noncompliance for Indicator 10 according to requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.11; and based on OSEP Memorandum 09-02 for both districts identified with FFY 2012 Indicator 10 noncompliance. In verifying correction of noncompliance, the KDE reviewed Indicator 10 records in accordance with OSEP Memorandum 09-02 through the following process:

Prong Two –To determine correction of the Indicator 10 noncompliance at a systemic level, the KDE randomly chose and reviewed student folders, thus verifying that there were no systemic violations.

Based on the record reviews, the KDE believes with reasonable confidence that all districts identified with noncompliance have corrected the noncompliance according to both prongs specified in OSEP Memorandum 09-02.

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

Prong One - As part of the individual student review process for all students previously identified with Indicator 10 noncompliance, the Kentucky Department of Education (KDE) verified through record reviews that Indicator 10 noncompliance for each individual student had been corrected.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Because the State reported less than 100% compliance for FFY 2013 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2013 for this indicator. The State must demonstrate, in the FFY 2014 APR, that the district identified in FFY 2013 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, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

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 2014 APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	95.43%	94.48%	94.87%	99.00%	99.00%	99.00%	99.27%	99.54%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
2,663	2,644	99.54%	100%	99.29%

Number of children included in (a), but not included in (b) [a-b]	19
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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 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 or on-site visits. The student records reported by the districts are verified along with additional student files for comparison purposes.

During the 2013-2014 school year, the KDE independently verified Indicator 11 data while conducting on-site monitoring visits for twelve districts that self-reported 100% compliance during the 2012-2013 school year. Of those districts, no district was cited for noncompliance with the sixty school day evaluation timeline.

The range of days in the state beyond the timeline was:

Least number of days = 1

Greater number of day = 94

The most common reasons for the delays include the following:

Availability of evaluation personnel

Parental factors (excluding when 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?

- 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 and Annual Performance Report (SPPAPR) data for Indicator 11 by requiring districts to submit a report by June 15 of each year to KDE containing randomly selected, child-specific data for the indicator.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table, **not including correction of findings**

N/A

Correction of Findings of Noncompliance Identified in FFY 2012

Findings of Noncompliance Identified	Findings of Noncompliance Verified as Corrected Within One Year	Findings of Noncompliance Subsequently Corrected	Findings Not Yet Verified as Corrected
12	12	0	0

FFY 2012 Findings of Noncompliance Verified as Corrected

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

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

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

Based on its random record review, KDE has reasonable confidence that the districts identified with noncompliance in FFY 12 corrected the noncompliance according to *OSEP Memorandum 09-02*.

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

The steps the Kentucky Department of Education (KDE) took to verify the correction of findings of individual noncompliance identified in FFY 2012 are as follows:

- 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, KDE has reasonable confidence that the district identified with individual noncompliance in FFY 12 corrected the noncompliance according to *OSEP Memorandum 09-02*.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Because the State reported less than 100% compliance for FFY 2013, the State must report on the status of correction of noncompliance identified in FFY 2013 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2014 APR, that it has verified that each LEA with noncompliance identified in FFY 2013 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 2014 APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data	93.74%	96.56%	95.69%	98.73%	99.60%	99.65%	99.86%	99.82%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

FFY 2013 SPP/APR Data

a. Number of children who have been served in Part C and referred to Part B for Part B eligibility determination.	2,695
b. Number of those referred determined to be NOT eligible and whose eligibility was determined prior to third birthday.	309
c. Number of those found eligible who have an IEP developed and implemented by their third birthdays.	2,109
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.	200
e. Number of children who were referred to Part C less than 90 days before their third birthdays.	69

	Numerator (c)	Denominator (a-b-d-e)	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 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. $[c/(a-b-d-e)] \times 100$	2,109	2,117	99.82%	100%	99.62%

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	8
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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 range of days beyond the third birthday was three to sixty-eight (68) days. Reasons for the delays:

- Parent refusal to provide consent for evaluation for initial services
- District unable to locate child/family in timely manner
- Referral from Part C received late [less than ninety (90) days prior to child's third birthday]

- Inclement weather
- Request for delay due to child’s illness

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 data from districts using the end of year Preschool Program Performance Report. Districts report transition data to KDE by June 30th. School Readiness staff from KDE review transition data for errors and noncompliance. When errors are noted, districts are required to revise and re-submit data. Staff from KDE and Regional Training Centers work with districts to meet transition compliance in subsequent years.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table, **not including correction of findings**

N/A

Correction of Findings of Noncompliance Identified in FFY 2012

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 provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Because the State reported less than 100% compliance for FFY 2013, the State must report on the status of correction of noncompliance identified in FFY 2013 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2014 APR, that it has verified that each LEA with noncompliance identified in FFY 2013 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 2014 APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
Target		100%	100%	100%	100%	100%	100%	100%
Data					92.95%	94.61%	98.37%	97.07%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target	100%	100%	100%	100%	100%	100%

FFY 2013 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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
2,134	2,156	97.07%	100%	98.98%

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 and Annual Performance Report (SPP/APR) data for Indicator 13 by requiring districts to submit a report by June 15 of each year to KDE containing randomly selected, child-specific data for the indicator.

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

During the 2013-14 school year, the KDE independently verified Indicator 13 data while conducting onsite monitoring visits for fourteen districts that self-reported 100% during 2012-13 school year. Of those districts, four districts were cited for Indicator 13 noncompliance.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table, not including correction of findings

N/A

Correction of Findings of Noncompliance Identified in FFY 2012

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 2012 Findings of Noncompliance Verified as Corrected

Describe how the State verified that each LEA with noncompliance is correctly implementing the regulatory requirements

During the FFY 12, the Kentucky Department of Education (KDE) cited eighteen districts for non-compliance with Indicator 13, based on district self-reporting.

All records reviewed by the Kentucky Department of Education (KDE) were required to correct all finding of Indicator 13 noncompliance in accordance with *OSEP Memorandum 09-02* through the following:

Prong 2 - To determine correction of the Indicator 13 non-compliance at a systemic level, random record reviews are conducted.

In accordance with Prong Two, KDE reviewed randomly selected folders and found them to be in compliance with Indicator 13. All findings of non-compliance were verified through KDE's review of individual student records and random folders, in accordance with both prongs of *OSEP Memorandum 09-02*.

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

All records reviewed by the Kentucky Department of Education (KDE) were required to correct all finding of Indicator 13 noncompliance in accordance with *OSEP Memorandum 09-02* through the following:

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

KDE reviewed all individual cases of noncompliance and found that the noncompliance had been corrected by the districts, as required by Prong One.

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Because the State reported less than 100% compliance for FFY 2013, the State must report on the status of correction of noncompliance identified in FFY 2013 for this indicator. When reporting on the correction of noncompliance, the State must report, in its FFY 2014 APR, that it has verified that each LEA with noncompliance identified in FFY 2013 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 2014 APR, the State must describe the specific actions that were taken to verify the correction.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
A	2009	Target ≥						24.50%	25.00%	25.50%
		Data					23.90%	23.20%	19.70%	19.80%
B	2009	Target ≥						52.70%	53.70%	54.70%
		Data					51.70%	52.10%	57.10%	55.70%
C	2009	Target ≥						62.40%	63.90%	65.40%
		Data					60.90%	64.90%	68.00%	65.80%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013	2014	2015	2016	2017	2018
Target A ≥	25.50%	25.50%	25.50%	25.50%	25.50%	25.50%
Target B ≥	55.00%	55.20%	55.40%	55.60%	55.80%	56.00%
Target C ≥	65.70%	65.90%	66.10%	66.30%	66.50%	66.70%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 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.

As stakeholders examined the post-school outcomes data, they noticed that competitive employment has been increasing in recent years, while higher education has become more challenging. Targets for higher education (14A) remain at their 2012 levels (25.5%) which is considerably higher than the most recent actual data (19.8%). Increased emphasis on supported higher education and college readiness for those with the most significant intellectual disabilities are plans to raise this figure to meet our goal. Stakeholders agreed that competitive employment rates are moving in the right direction, and proposed a 0.2% increase in the target for 14B annually. Focus for the state is not on ‘other’ forms of employment and education, and the targets for 14C are simply those accomplished through improvements in 14B, and are projected also as a 0.2% increase annually.

FFY 2013 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	2,592
1. Number of respondent youth who enrolled in higher education within one year of leaving high school	486
2. Number of respondent youth who competitively employed within one year of leaving high school	1,056
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)	96
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).	114

	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 2012 Data*	FFY 2013 Target*	FFY 2013 Data
A. Enrolled in higher education (1)	486	2,592	19.80%	25.50%	18.75%
B. Enrolled in higher education or competitively employed within one year of leaving high school (1 +2)	1,542	2,592	55.70%	55.00%	59.49%
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)	1,752	2,592	65.80%	65.70%	67.59%

Explanation of A Slippage

National economic factors have large impacts on a young person’s decision regarding immediate entry into the workforce or enrollment in higher education. As economic conditions have improved, so have job prospects. While Indicator 14A slipped 1.05% from FFY 2012 to FFY 2013, competitive employment has increased by about 5%. We do not view the slippage in 14A as a decline in preparation for higher education, but as an enhanced field of choices for young people. Still, efforts have been established to increase supported higher education and college readiness for those with the most significant intellectual disabilities.

Was sampling used? No

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
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%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013		2014		2015		2016		2017		2018	
Target	70.00%	- 80.00%	70.00%	- 80.00%	70.00%	- 80.00%	70.00%	- 80.00%	70.00%	- 80.00%	70.00%	- 80.00%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/5/2014	3.1(a) Number resolution sessions resolved through settlement agreements	n	null
EMAPS IDEA Part B Dispute Resolution Survey; Section C: Due Process Complaints	11/5/2014	3.1 Number of resolution sessions	6	null

FFY 2013 SPP/APR Data

3.1(a) Number resolution sessions resolved through settlement agreements	3.1 Number of resolution sessions	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data
2	6	0%	70.00% - 80.00%	33.33%

Provide additional information about this indicator (optional)

The State of Kentucky is not required to report on Indicator 15, Resolution Sessions, because the 'n' size is not large enough to report for the FFY 13. This target is not applicable for the FFY 13 reporting year.

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State reported fewer than ten resolution sessions held in FFY 2012. The State is not required to meet its targets in any fiscal year in which fewer than ten resolution sessions were held.

Required Actions

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	2005	2006	2007	2008	2009	2010	2011	2012
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%

Key: Gray – Data Prior to Baseline Yellow – Baseline

FFY 2013 - FFY 2018 Targets

FFY	2013			2014			2015			2016			2017			2018		
Target	61.00%	-	85.00%	61.00%	-	85.00%	61.00%	-	85.00%	61.00%	-	85.00%	61.00%	-	85.00%	61.00%	-	85.00%

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 SAPEC for input when determining outcome-based targets for the State Performance Plan and to advise the SAPEC on KDE's progress toward meeting its targets.

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 State Performance Plan (SPP). Feedback was provided and used to assist in determining targets for FFY 13- FFY 18.

Prepopulated Data

Source	Date	Description	Data	Overwrite Data
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1.a.i Mediations agreements related to due process complaints	n	null
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1.b.i Mediations agreements not related to due process complaints	n	null
EMAPS IDEA Part B Dispute Resolution Survey; Section B: Mediation Requests	11/5/2014	2.1 Mediations held	n	null

FFY 2013 SPP/APR Data

2.1.a.i Mediations agreements related to due process	2.1.b.i Mediations agreements not related to due process	2.1 Mediations held	FFY 2012 Data*	FFY 2013 Target*	FFY 2013 Data

FFY 2013 Part B State Performance Plan (SPP)/Annual Performance Report (APR)

complaints	complaints				
1	2	4	70.59%	61.00% - 85.00%	75.00%

Actions required in FFY 2012 response table

None

Responses to actions required in FFY 2012 response table

N/A

OSEP Response

The State provided targets for FFYs 2013 through 2018 for this indicator, and OSEP accepts those targets.

The State reported fewer than ten mediations held in FFY 2013. The State is not required to meet its targets until any fiscal year in which ten or more mediations were held.

Required Actions

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.

Baseline Data

FFY	2013
Data	32.10%

FFY 2014 - FFY 2018 Targets

FFY	2014	2015	2016	2017	2018
Target	40.60%	49.10%	57.60%	66.10%	74.60%

Description of Measure

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

Proficiency rate percent = ((# of children with IEPs scoring at or above proficient against grade level, modified and alternate academic achievement standards) 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 reading and math)]. The proficiency rate includes both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

Please see attachment for more information.

Targets: Description of Stakeholder Input

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

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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.

OSEP Response

Required Actions

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: Johnny W. Collett

Title: State Director of Special Education

Email: johnny.collett@education.ky.gov

Phone: 502-564-4970