

Office of Special Education and Early Learning (OSEEL)
**Guidance for Kentucky Educational Collaborative for State Agency Children
(KECSAC) Monitoring**

General Supervision (GS) and Public Agency (PA) Indicators

Introduction

In December 2014, the U.S. Department of Education (ED) released a [Dear Colleague Letter](#) regarding the requirements of Part B of the Individuals with Disabilities Education Act for students with disabilities in correctional facilities. ED's Office of Special Education Programs (OSEP) also developed a [State Correctional Education Self-Assessment \(SCES\)](#) to assist states in self-assessing their systems for providing special education and related services to students with disabilities in correctional facilities. Based on these resources, the Office of Special Education and Early Learning (OSEEL) developed general supervision and public agency indicators used for monitoring special education programs in Kentucky Educational Collaborative for State Agency Children/Department of Juvenile Justice (KECSAC/DJJ) facilities.

General Supervision (GS) Indicators

Indicator GS – 1: Student Participation in IEP Team Meetings

Item	Data Source	Requirement
GS 1.a	Individual Student Record Reviews	If the purpose of the Admissions and Release Committee (ARC) meeting is to discuss transition services, the child was invited to attend and participate in the ARC meeting. 707 KAR 1:320 Section, 3(4) .

Indicator GS – 2: Participation in Required Assessments

Item	Data Source	Requirement
GS 2.a	Individual Student Record Reviews	Statement of any individual accommodations to be provided the child in order to participate in the state or districtwide assessment. These accommodations shall be based on the requirements contained in 703 KAR 5:070 .

Item	Data Source	Requirement
GS 2.b	Individual Student Record Reviews	<p>If the ARC determined the child meets the criteria for participation in the alternate portfolio as provided in 707 KAR 1:320, Section 5(11), it shall provide a statement of its decision and the reasons for the decision.</p> <p>Note: As reflected in the <i>Participation Guidelines Documentation</i>, to participate in Kentucky's Alternate Assessment a student must meet all four participation criteria. The ARC must document the student's current level of communication functioning in the Present Levels of the student's Individual Education Program (IEP).</p>
GS 2.c	Program Records and Monitoring Visit	Students with disabilities are administered the same assessments as other public-school students without disabilities and are included in the accountability calculations as provided in 703 KAR 5:240, Section 8 and 703 KAR 5:070 .
GS 2.d	Program Records and Monitoring Visit	Students are provided accommodations on assessments as outlined in students' IEPs, as provided in 707 KAR 1:320, Section 1(1) and 707 KAR 1:320, Section 5(10) .

Indicator GS – 3: Personnel Qualifications

Item	Data Source	Requirement
GS 3.a	Education Professional Standards Board (EPSB) Kentucky Educator Certification Inquiry (KECI) database and Program Records	<p>According to 34 CFR §300.156, the local education agency (LEA) must ensure personnel are appropriately and adequately prepared and trained to offer educational services.</p> <p>All educational staff meet applicable teacher certification qualifications according to the Education Professional Standards Board (EPSB).</p> <p>Related service personnel must hold credentials consistent with any state-approved or state-recognized certification, licensing, registration or other comparable requirements that apply to the professional discipline in which that personnel is providing special education or related services. 34 CFR § 300.156(b)(1)</p>

Indicator GS – 4: Child Find

Item	Data Source	Requirement
GS 4.a	Program records	707 KAR 1:300, Section 1(1) requires public agencies to have policies and procedures in place to plan and implement a child find system.

Indicator GS – 5: Surrogate Parents

Item	Data Source	Requirement
GS 5.a	Program Records and Monitoring Visit	The program has a procedure for determining whether a student needs a surrogate parent and for assigning a surrogate parent to the student, as determined by 707 KAR 1:340, Section 7 (5)(6) .
GS 5.b	Individual Student Record Review	Individual student records reveal surrogate parents are appointed as needed, and are invited to attend and participate in student ARC meetings. 707 KAR 1:340, Sections 7(3) and 7(5) ; 707 KAR 1:340, Sections 1(1)(b) and 1(2)

Indicator GS – 6: Procedural Safeguards and Due Process Protection

Item	Data Source	Requirement
GS 6.a	Individual Student Record Reviews	Individual student record reviews indicate a copy of the procedural safeguards are offered and explained to the parent or surrogate parent as required under 707 KAR 1:340, Sections 5(1) and 5(2) .
GS 6.b	Program Records and Monitoring Visit	Staff interviews indicate staff understand the required procedural safeguards set forth by the Individuals with Disabilities Education Act (IDEA).

Public Agency (PA) Indicators

Indicator PA – 1: IEPs for Transfer Students and Transmittal of Records

Item	Data Source	Requirement
PA 1.a	Program Records and Monitoring Visit	Written policies, procedures, staff interviews or other documentation indicate the program has a procedure for transferring student due process records for those who transferred into or out of the district.
PA 1.b	Individual Student Record Reviews	Student due process records were received and reviewed for all students who transferred into the district. If, after taking reasonable steps, the new public agency or district was not able to obtain a student's IEP, the new agency or district conducted an evaluation and made an eligibility determination.

Indicator PA – 2: Child Find and Evaluation

Item	Data Source	Requirement
PA 2.a	Program Records	707 KAR 1:300, Section 1(1) requires public agencies to have child find policies and procedures in effect.
PA 2.b	Monitoring Visit	Interviews indicate staff know, understand and can implement child find policies and procedures.

Indicator PA – 3: Personnel Development

Item	Data Source	Requirement
PA 3.a	Education Professional Standards Board (EPSB) Kentucky Educator Certification Inquiry (KECI) database and Program Records	Special education personnel meet state personnel qualification standards. 34 CFR §300.156 and 34 CFR §300.207
PA 3.b	Education Professional Standards Board (EPSB) Kentucky Educator Certification Inquiry (KECI) database and Program Records	Related service personnel meet state personnel qualification standards. 34 CFR §300.156(b) and 34 CFR §300.207

Indicator PA – 4: Non-educational Staff

Item	Data Source	Not a Compliance Indicator
PA 4	Non-educational Staff	<p>How is it ensured non-educational staff serving students with disabilities are included in professional development activities regarding IDEA (e.g., the use of Positive Behavior Interventions and Supports (PBIS), discipline procedures and cross-agency staff discussions)?</p> <p>NOTE: Indicator PA-4 was reviewed by the KDE to determine the extent of implementation and to provide feedback and recommendations. However, Indicator PA-4 is not considered by OSEP to be a compliance indicator and will not be cited by the KDE for noncompliance or required corrective action. Please note that failure to fully implement Indicator PA-4 may result in findings of noncompliance related to other indicators and regulatory requirements.</p>

Indicator PA – 5: Individualized Education Programs (IEPs)

Item	Data Source	Requirement
PA 5.a	Individual Student Record Reviews	Under 707 KAR 1:320, Section 5(2)(a) , in the case of a child whose behavior impedes his or her learning or that of others, the ARC must consider whether the student requires appropriate strategies, including positive behavioral interventions, strategies and supports to address that behavior.
PA 5.b	Program Records and Monitoring Visit	The educational program includes implementation of positive behavioral supports and interventions throughout each student's school day to address behaviors that impede learning.

Indicator PA – 6: Least Restrictive Environment

Item	Data Source	Requirement
PA 6.a	Program Records and Monitoring Visit	According to 707 KAR 1:350, Section 1 , students with disabilities must be educated with nondisabled peers to the maximum extent possible. The facility must have a continuum of alternative placements available to students based on individual needs.
PA 6.b	Monitoring Visit and Individual Student Record Reviews	Students with disabilities receive specially designed instruction in the least restrictive environment (LRE) identified within their IEP. 707 KAR 1:350, Section 1

Indicator PA – 7: Postsecondary Transition

Item	Data Source	Requirement
PA 7.a	Individual Student Record Reviews	<p>By the child's 16th birthday, the IEP includes ALL the following: appropriate measurable postsecondary goals based upon age-appropriate transition assessments, related to training, education, employment and, where appropriate, independent living skills AND the transition services (including the course of study) needed to assist the child in reaching these goals.</p> <p>NOTE: Measurable postsecondary goals must be based on age-appropriate transition assessments which may include the following:</p> <ul style="list-style-type: none"> • Behavioral assessment information; • Aptitude tests; • Interest and work values inventories and surveys; • Intelligence tests and achievement tests; • Personality or preference tests; • Career maturity or readiness tests; • Self-determination assessments; • Work related temperament scales and • Transition planning inventories <p>NOTES:</p> <p>Age-appropriate means the measure reflects the student's chronological age rather than developmental age.</p> <p>"Measurable" means "countable" or "quantifiable." A "measurable" postsecondary transition goal is one that allows stakeholders to conclusively determine a student's progress toward meeting that goal and when the student has attained or reached that goal. The student's postsecondary transition goals must be outcome-oriented and focused upon what the student will achieve or will do after exiting school. The student's course of study must connect with/relate to the student's statement of transition services and their postsecondary transition goals. There must be a closely aligned relationship between these components.</p>
PA 7.b	Individual Student Record Reviews	The measurable postsecondary goals are reviewed annually and revised, if necessary. 707 KAR 1:320, Section 2(6) .
PA 7.c	Individual Student Record Reviews	For transition services provided or paid for by another agency, the other agency was invited to send a

Item	Data Source	Requirement
		<p>representative with the prior written consent of the parent or child (if the child is an emancipated adult).</p> <p>OR</p> <p>If the representative of the other public agency did not attend, the LEA took steps to obtain participation of the other agency in the planning of any transition services. 707 KAR 1:320, Section 3(4)</p>
PA 7.d	Individual Student Record Reviews	<p>At least one year prior to the student reaching the age of majority, the IEP includes a statement that the child has been informed of their rights under 707 KAR Chapter 1, and the rights will transfer to the student upon reaching the age of majority</p> <p>NOTE: The age of majority in Kentucky is 18. (KRS 2.015)</p>
PA 7.e	Individual Student Record Reviews	<p>For students graduating or aging out, documentation shows the LEA provided the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's postsecondary goals. 707 KAR 1:300, Section 4 (21)</p>

Indicator PA – 8: Procedural Safeguards and Due Process Protections

Item	Data Source	Requirement
PA 8.a	Individual Student Record Reviews	<p>Under 707 KAR 1:340, Section 15, within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the ARC must convene a meeting to review all relevant information to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability.</p>
PA 8.b	Program Documentation and Monitoring Visit	<p>Administrative and special education staff can articulate the requirements for manifestation determinations and disciplinary removals for students with disabilities. (707 KAR 1:340, Section 15)</p>

Indicator PA – 9: Reentry

Item	Data Source	Not a Compliance Indicator
PA 9	Reentry	<p>How is it ensured appropriate IEPs and placements are determined when eligible students with disabilities reenter public school?</p> <p>NOTE: Indicator PA-9 will be reviewed by the KDE to determine the extent of implementation and to provide feedback and recommendations. However, Indicator PA-9 is not considered by OSEP to be a compliance indicator and will not be cited by the KDE for noncompliance or required corrective action.</p>