

# Participation Guidelines for the Kentucky Alternate Assessment Review Document



Office of Special Education and Early Learning (OSEEL)

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### **Introduction**

The Division of IDEA Monitoring and Results (DIMR) developed the *Participation Guidelines for the Alternate Assessment Review Document* in partial fulfillment of the requirements of the Individuals with Disabilities Education Act (IDEA) and the Kentucky Administrative Regulations (KARs) for Special Education Programs. The OSEEL created this document to serve several purposes including:

- promotion of a consistent standard for districts to use when determining if a student is eligible to participate in the Kentucky Alternate Assessment
- creation of a professional learning tool for districts to collect and review appropriate documentation for a student with a significant cognitive disability
- establishment of a consistent tool for state use to accurately collect information required for federal compliance with the 1% cap placed on students participating in the state alternate assessment

The goal of this document is to not only facilitate state compliance with the 1% cap on student participation in the alternate assessment as required by the Elementary and Secondary Education Act of 1965 (ESEA), as amended by the Every Student Succeeds Act (ESSA), Section 1111(b)(2)(D)(i)(I), but to also increase results-driven accountability (RDA) in improving student outcomes and professional development.

For more information on documenting requirements, see the [\*Guidance for Annual Review Committees \(ARCs\) on Participation Decisions for the Kentucky Alternate Assessment\*](#) on the Kentucky Department of Education website.

### **District Process for Review of Records**

The Kentucky Department of Education (KDE) strongly recommends districts establish a process to review and monitor the identification of students taking the alternate assessment.

Listed are some steps the KDE recommends districts include in their process to monitor the identification of students for the alternate assessment:

1. If the district's alternate assessment participation percentage is greater than one percent, investigate whether those numbers are:
  - disproportionately represented in certain schools or grades;
  - disproportionately represented in certain subgroups (disability, race, socio-economic status); and,
  - proportionally consistent with other districts in the state who are similar in population size.
2. Examine the process Admissions and Release Committee (ARC) teams use to determine how students qualify for the alternate assessment. OSEEL highly recommends districts convene a meeting with staff members who have responsibility in the decision-making process.

### **Guiding Questions:**

1. Are the ARC team members using the *Participation Guidelines* during ARC meetings?
2. Are all ARC members given a chance to hear and review the data analysis?
3. Is the ARC using data to establish clear evidence that the student meets the specific criteria?
4. Have all required ARC members (ARC chairperson, special education teacher, and the Director of Special Education (DoSE)) completed the required training modules?
5. Do all ARC members have a clear understanding of the implications associated with participation in alternate assessment?

3. Research has shown students identified under certain IDEA disability categories are more likely to be considered eligible to participate in the alternate assessment. The most common disabilities eligible to participate in the alternate assessment include autism, functional mental disability, multiple disabilities and traumatic brain injury. Other IDEA disability categories which generally require more substantial evidence to support eligibility for the student to be selected to participate in alternate assessment, include mild mental disability (MMD), specific learning disabilities (SLD), emotional behavior disability (EBD), and other health impairment (OHI). If these latter categories are considered, the ARC process should include a strong review of evidence and documentation of its analysis and determination. Generally, selecting the standard assessments with supports and accommodations as needed is preferable to selecting students solely on the basis of disability category for participation in the alternate assessment.
4. When reviewing appropriate identification and documentation of alternate assessment eligibility, a district may want to complete a student file review using this record review document.

### **Use of Record Review Document**

Provided are some recommendations for how to complete the review process in the district for students eligible to participate in the alternate assessment:

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1. Districts may choose to select random student records to review. Records should be selected randomly and chosen from a variety of schools, teachers, case managers and categories of disabilities. Districts may do this in a number of ways. They may:
  - a. have special education teachers review a random selection of student files in the district. This would not include a review of students on the teacher's caseload;
  - b. have special education administrators review a random selection of student files in the district; or,
  - c. consult with the regional special education cooperative to plan a review.
2. Districts may choose to review all student files for students eligible to participate in the alternate assessment. If reviewing all files, the district could:
  - a. have special education teachers randomly review all students files in the district This would not include a review of students on the teacher's caseload;
  - b. have each special education teachers review student files from the teacher's caseload;
  - c. have special education administrators randomly review all students files in the district; or,
  - d. consult with the regional special education cooperative to plan a review.

*Note: During the record review process, districts may find that documented evidence **does not** support that the student has a significant cognitive disability and is not eligible to participate in the Kentucky Alternate Assessment. In some cases, it will be necessary to reconvene an ARC to discuss and document completion of the Kentucky Alternate Assessment Participation Guidelines. The criteria for participation in the Alternate Kentucky Performance Rating for Educational Progress (K-PREP) reflect the pervasive nature of a significant cognitive disability.*

## **Resources**

The KDE will continue to provide additional supports to districts addressing the process for appropriate selection of students for the Kentucky Alternate Assessments. Below are resources currently available:

- Districts may retrieve student test participation numbers through the School Report Card
- [\*Guidance for ARCs on Participation Decisions for the Kentucky Alternate Assessment\*](#) includes a description of the alternate assessment eligibility process as well as frequently asked questions and answers about the alternate assessment. This document provides answers to specific questions about the eligibility process for the alternate assessment.
- To support districts in determining whether the Kentucky Alternate Assessment (Alternate K-PREP) based on alternate achievement standards is the appropriate assessment for an individual student with the most significant cognitive disability, the KDE has developed a series of six training modules which include:

- Module 1: Change in Reporting Requirements and Communicating with District Staff
- Module 2: Completing the Participation Guidelines
- Module 3: Preparing for ARC to Complete the Participation Guidelines
- Module 4: Completing the Learner Characteristics Inventory
- Module 5: Understanding Your Districts Alternate Assessment Population in Relation to the 1% Cap
- Annual Review Guidance for Alternate Assessment Participation: Annual refresher course on understanding and implementing the participation guidelines each year

All modules are available for access on the [University of Kentucky Learning Management System](#).

- The [Kentucky Alternate Assessment Participation Guidelines](#) form was developed to provide guidance for ARC members who must make decisions about testing special student populations for the Alternate K-PREP.
- The [Parent Guide to Alternate K-Prep](#) was devised to provide important terms to know & questions and answers for parents. ([Guia Para Padres Alterno K-PREP 2018](#) (Spanish Version))
- [Kentucky Educational Cooperatives](#) are available to provide additional guidance and training.

**Demographic Information (Required)**

**Kentucky Alternate Assessment Participation Review Document**

School Year \_\_\_\_\_

Reviewer's Name \_\_\_\_\_

Date \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

Student's Name \_\_\_\_\_

Student's DOB \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ Grade \_\_\_\_\_

Race/Ethnicity       Hispanic/Latino                       American Indian/Alaska Native  
                                  Asian     Black/African American  
                                  White     Native Hawaiian or Other Pacific  
                                  Two or More Races                      Islander

Disability \_\_\_\_\_

School \_\_\_\_\_

District \_\_\_\_\_

Mark box below for the meeting purpose:

- Initial Referral/Eligibility
- 3-Year Reevaluation
- Annual Review
- Other \_\_\_\_\_

Notes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Guidelines for participating in the Kentucky Alternate Assessment**  
[703 KAR 5:070](#)

| <b>Documentation Form</b>   | <b>Yes</b> | <b>No</b> | <b>NA</b> |
|---|------------|-----------|-----------|
| <p><b>Item A.</b> There is documentation the parent was provided a copy of the Alternate Assessment Parent Guide with an opportunity to ask questions (prior to ARC meeting, during ARC meeting, or other time) 707 KAR 1:320 Section 5 (1) (a) and 34 CFR § 200.6 (d)(3)</p> <p>Date guide provided to parent:</p> <p style="text-align: center;">Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>NOTE:</b> The ARC must provide copy to parent and must document when the guide was given to the parent. Document in the conference summary if the parent did or did not have questions.</p> |            |           |           |
| <p><b>Item B.</b> Documentation district personnel explained to all ARC members the difference between an Alternative High School Diploma (704 KAR 3:305) and a Regular High School Diploma. 34 CFR § 200.6 (d)(2-4)</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>NOTE:</b> The district must explain the difference between the two diplomas (including the courses of study, minimum graduation requirements and implications) to all ARC members and provide any member of the ARC an opportunity to ask questions.</p>   |            |           |           |
| <b>Participation Criterion #1</b>   | <b>Yes</b> | <b>No</b> | <b>NA</b> |
| <p><b>Item 1.</b> Did the ARC document the student is eligible for special education services? 707 KAR 1:002 and ESSA Section 1111 (b)(2)(D)(i)</p> <ul style="list-style-type: none"> <li>• Did the ARC complete and discuss the Disability Eligibility Documentation Form?</li> </ul> <p>Date of Disability Eligibility Documentation Form:</p> <p style="text-align: center;">Yes <input type="checkbox"/> No <input type="checkbox"/></p>   |            |           |           |

| Documentation Form   | Yes | No | NA |
|--|-----|----|----|
| <ul style="list-style-type: none"> <li>Did the ARC document the student has a current IEP or that one is currently being developed?</li> </ul> <p>Date of Current IEP:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>NOTE:</b> Both items in Criterion #1 must be <b>yes</b> and must include date of documentation required.</p> <p>If the ARC documented that an IEP is currently being developed for a student, mark YES and put date of ARC to develop IEP.</p>  |     |    |    |
| Participation Criterion #2   | Yes | No | NA |
| <p><b>Item 2.</b> Did the ARC document the student’s demonstrated cognitive functioning and adaptive behavior in the home, school and community environments are significantly below age expectations, even with program modifications and accommodations? 34 CFR § 200.6 (d)(1)</p> <p><b>All</b> of the following are required:</p> <ul style="list-style-type: none"> <li>Cognitive functioning evaluation data meet the definition of a student who has a significant cognitive disability.</li> </ul> <p>Date of evaluation:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>Adaptive behavior data in multiple settings meet the definition of a student who has a significant cognitive disability.</li> </ul> <p>Date of evaluation:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>The description in the Present Levels of Academic Achievement and Functional Performance section of the IEP supports that the student meets the definition of having a significant cognitive disability.</li> </ul> <p>Date of IEP:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> |     |    |    |



| Documentation Form  | Yes | No | NA |
|---|-----|----|----|
| <ul style="list-style-type: none"> <li>The data in the Present Levels of Academic Achievement and Functional Performance of the previous IEP document that the student's academic performance is significantly and consistently below same age peers.</li> </ul> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Date of previous IEP:</p> <ul style="list-style-type: none"> <li>Documented progress monitoring data based on IEP goals supports documentation that the student is significantly below age expectations, <b>even with</b> program modifications and accommodations.</li> </ul> <p><b>Note:</b> If the ARC is in the process of developing an IEP for a newly-identified student, RTI progress monitoring data could be substituted here for IEP progress monitoring data)</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Evidence of Progress Monitoring:</p> <ul style="list-style-type: none"> <li>ARC documented sources of evidence and justification for decision in Conference Summary.</li> </ul> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>Note:</b> All required sources of evidence <i>must</i> be documented in the conference summary. All answers to participation criteria must be answered <b>Yes</b> in order to be eligible to participate in the alternate assessment.</p> <p>If any required documentation is unavailable, the ARC must document the reason it is not available in the conference summary.</p> |     |    |    |
| Participation Criterion #3  | Yes | No | NA |
| <p><b>Item 3.</b> Does the ARC document the student requires extensive individual direct instruction across multiple settings, utilizing intensive accommodations, modifications and assistive technology to access and make progress on the Kentucky Academic Standards and to maintain and generalize learning? 34 CFR § 200.6 (d)(1)(iii)</p> <ul style="list-style-type: none"> <li>Is there documentation that demonstrates the student requires extensive individual direct instruction across multiple settings?</li> </ul> <p>Individual Education Program Date:</p>  |     |    |    |

| Documentation Form   | Yes | No | NA |
|--|-----|----|----|
| <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>• Are Progress Monitoring data documented?</li> </ul> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>• Is there documentation the student utilizes intensive accommodations, modifications and assistive technology (that exceed what is allowed on the general assessments for students as described in the "Inclusion Document" and set forth in 703 KAR 5:070) to access and make progress on the Kentucky Academic Standards and to maintain and generalize learning?</li> </ul> <p>Documentation of Accommodations Determination Date (not a specific form):</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>Note:</b> All required sources of evidence <i>must</i> be documented in the conference summary. All answers to participation criterion must be answered <i>Yes</i> in order to be eligible to participate in the alternate assessment.<br/>If any documentation is unavailable, the ARC must document the reason it is not available in the conference summary.</p> |     |    |    |
| Participation Criteria #4  | Yes | No | NA |
| <p><b>Item 4.</b> Is there documentation the ARC carefully considered each of the exclusionary factors? [34 CFR 200.6 (d)(1)(i) and 34 CFR 200.6 (d)(1)(ii)] Mark the boxes below that each criteria was considered and documented.</p> <p><input type="checkbox"/> excessive or extended absences</p> <p><input type="checkbox"/> disability related to visual or auditory disabilities, emotional-behavioral disabilities, specific learning disabilities, speech and language impairment</p> <p><input type="checkbox"/> native language, social, cultural, and economic differences</p> <p><input type="checkbox"/> those identified as English Learners (EL)</p>  |     |    |    |

| Documentation Form  | Yes        | No        | NA        |
|---|------------|-----------|-----------|
| <p><input type="checkbox"/> pre-determined poor performance on the grade-level assessment</p> <p><input type="checkbox"/> the student displays disruptive behaviors or experiences emotional duress during testing</p> <p><input type="checkbox"/> administrator decision</p> <p><input type="checkbox"/> educational placement or instructional setting</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>• Did the ARC document its decision for the student to participate in the KY Alternate Assessment is <b>not</b> primarily the result of any of the exclusions listed above?</li> </ul> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>Note:</b> Discussion of exclusionary factors <i>must</i> be documented in the conference summary. <b>All</b> answers to participation criteria must be answered <b>Yes</b> in order to be eligible to participate in the alternate assessment.</p> <p>If any documentation is unavailable, the ARC must document the reason it is not available in the conference summary.</p> |            |           |           |
| <b>Item C. ARC Eligibility Determination</b>  | <b>Yes</b> | <b>No</b> | <b>NA</b> |
| <ul style="list-style-type: none"> <li>• Did the ARC document a statement of its decision, the reasons for the decision [707 KAR 1:320 Section 5 (11)], and can all referenced data sources be verified with supporting documentation? ESSA Section 1111 (b)(2)(D)(ii)(I)</li> </ul> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>  |            |           |           |
| <b>Item D. Documentation Questions</b>  |            |           |           |
| <ul style="list-style-type: none"> <li>• Is there documentation the ARC reviewed and completed the Learner Characteristics Inventory (LCI)?</li> </ul> <p>Learner Characteristics Inventory Date:</p>   |            |           |           |

| Documentation Form  | Yes | No | NA |
|---|-----|----|----|
| <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <ul style="list-style-type: none"> <li>Is there documentation that the student's functioning pertaining to receptive and expressive communication are addressed in the IEP? (707 KAR 1:320 Section 5 (d))</li> </ul> <p>Individual Education Program Date:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>Note:</b> If a student is found eligible for the alternate assessment, the ARC must complete the LCI and document that communication is addressed, or is not marked as an area of concern, in the student's IEP.</p> |     |    |    |

Comments: