

# Kentucky Continuous Monitoring Process (KCMP) Self-Assessment Instruction Manual

Indicator 3

Indicator 8

## 2008-2009 Reporting Year

*KCMP Quarter 4  
March 2010 – May 2010*

Kentucky Department of Education  
Division of Exceptional Children Services



Version 2.3

**March 4, 2010**

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*Please note that essential content for understanding how to complete the KCMP process is located either in shaded tables like this one, or are contained in highlighted text throughout the document. It is highly recommended that District Review Team (DRT) members thoroughly read the instruction manual and use it as a reference document while completing the process.*

## General Overview

For school year 2008-09 data, the KCMP is being submitted on a quarterly basis as follows:

Time Frame	APR/KCMP Indicators to be Addressed
Quarter 1 (April 1 – June 30)	5, *6, 9 and 10
July	NA
Quarter 2 (August 1 – October 30)	11, 12, 13 and 15
Quarter 3 (November 1 – January 30)	1, 2, 4 and 20
<b>Quarter 4 (February 1 – March 30)</b>	<b>3 and 8</b>

A KCMP document for the applicable indicators will be provided to Directors of Special Education at the beginning of each quarter. Refer to the KCMP Calendar of Events beginning on page 10 for a detailed explanation of the KCMP cycles.

The Kentucky Department of Education (KDE) implements its general supervision responsibilities through a variety of methods including, but not limited to, implementation of statute and regulations, policies and procedures, on-site and off-site monitoring, data collection and analysis, dispute resolution procedures (i.e. Mediation, Formal Complaints and Due Process Hearings), technical assistance activities, interagency agreements or Memorandums of Understanding (MOUs) and by the dissemination of promising practices through the Special Education Cooperatives or other mechanisms available to the state. Kentucky's General Supervision system can be likened to the pieces of a puzzle in that there are many components that fit together to form a complete picture of general supervision as represented by the graphic below:



In addition, Kentucky continues to implement its six year State Performance Plan (SPP) as required by IDEA. The state's progress on the twenty SPP indicators is reported annually to the U.S. Department of Education's Office of Special Education Programs (OSEP) through the Annual Performance Report (APR).

### **Introduction to Kentucky Continuous Monitoring Process**

This model of general supervision stands in contrast to the traditional view that "monitoring" activities consist merely of district on-site visits by KDE or by the districts' submission of and KDE's review of the Kentucky Continuous Monitoring Process (KCMP) data and documents

While it is not the function or purpose of the KCMP to be the state's primary mechanism for general supervision, the KCMP is an important component of Kentucky's general supervision system designed to promote continuous, equitable educational improvement for students with disabilities while ensuring they receive a free appropriate public education (FAPE). LEAs continuously collect data in a standardized, consistent manner for self-improvement to ensure appropriate implementation of IDEA requirements. Where possible, data available to the state are supplied to the LEA. These data are to be used to examine trends over time and provide additional information for program planning and to achieve and maintain compliance with federal and state IDEA requirements. LEAs have the flexibility to use existing committee structures such as Comprehensive District Improvement Planning Teams or other previously formed committees for self-assessment and improvement planning as set forth in the KCMP.

The KCMP indicators have been intentionally designed to support Kentucky and the LEAs in efforts to reach and maintain state targets as set forth in the SPP.

## KCMP Process Steps

### Step 1: Create a District Review Team (DRT)

The district uses an existing committee structure such as the Comprehensive School or District Improvement Planning Committee or creates a district-wide District Review Team. DRT membership is documented on each quarterly KCMP document and must consist of:

- parents of students with disabilities
- general education teachers
- special education teachers
- building and district level administrators

At least one parent on the DRT must not be employed by the district. Others, such as community members or representatives from institutions of higher education should be encouraged to participate as well. The DRT membership may be fluid from quarter to quarter, depending on the expertise and interests of designated DRT members. For example, preschool teachers and the parent of a preschooler might be on a team when preschool indicators are addressed, and middle and high school teachers might participate on the DRT with the parent of an older student when secondary transition issues are addressed. It is recommended that at least some district personnel remain on the team throughout the cycle to promote consistency in focus and activities from quarter to quarter.

### Step 2: Review Data

The district should consider developing a calendar of events with information related to the analysis of data for each KCMP indicator with assigned dates and timelines for discussing progress of each improvement or maintenance activity.

With the possible exception of discipline data, all quantifiable data on the KCMP will be provided on the KCMP Self-Assessment document from data the district has previously submitted to KDE (e.g., child count data, assessment data, etc). These data are displayed in tan fields in the KCMP Self-Assessment document. Any data required to be entered by the district will appear in light green fields.

All data provided to the district from KDE (i.e., Child Count, End of Year Report, assessment data etc.) should be validated by the district. Any discrepancies or errors in data should immediately be reported to Windy Newton ([Windy.Newton@education.ky.gov](mailto:Windy.Newton@education.ky.gov)).

In order to yield accurate information, student records must be selected randomly. Random means that records are not preselected. For example, selecting the record of every third, fifth, tenth, (etc.) student from the child count roster is one means of random selection. Random also means that records are selected from a variety of schools, teachers, case managers, and categories of disability.

### Selection of records:

- Random review is one way for the district to ensure accuracy. If the district is chosen by DECS for a data verification visit, there is a far greater likelihood that DECS' record review will match the results of the district's review, if the district has randomly selected its records. If the district has "hand-picked" the records it reviewed, and DECS discovers inaccuracies during a data verification visit, the district will be cited for a violation of the "timely and accurate" data requirement.
- At least 10% of the district's child count must be selected for the review, in order for the review to be valid. No more than 50 records are required to be reviewed.
- If the district has 10 or fewer records under the specific record review item, then all student records for that item must be reviewed. For example, if the district had 8 students referred to its preschool program from First Steps, all 8 records must be reviewed.
- Please note that, for Indicator 13 (record review item #49), at least 10% of records of students age 16 and older are selected.
- For Indicator 11 (record review item #54), at least 10% of records of students who were initially evaluated and had eligibility determined during the reporting school year are selected. Random selection of student records for Item #54 includes all students evaluated during the current year, and is not limited to the district's roster of special education students.

***Please note the above information in selecting records to be reviewed by the district for obtaining KCMP Indicator 11 and Indicator 13 record review data to be submitted by May 28, 2010.***

### Step 3: Analyze Data

The DRT analyzes the data and where possible, compares the data to previous years to look for trends of district performance in terms of improvement or compliance. The team then should determine for each indicator the reason(s) why the data do or do not demonstrate improvement or compliance. This analysis of data is critical to ensure that the district's plan for improvement or maintenance is developed in a manner that will ensure that the activities conducted will have a direct and positive impact on each indicator.

A set of Investigative Questions are included for each indicator throughout this document.

### Step 4: Determine Causes for the District's Performance

Based upon the analysis of district data as described above, the district should identify possible or probable root causes for the district's level of performance or compliance using the Investigative Questions provided for each indicator as a basis for making this decision:

### **Step 5: Develop Improvement or Maintenance Plan**

Improvement planning should not be a “laundry list” of all activities a district may do in a particular area, but should focus on those activities that will directly impact the district’s performance in each area. For the compliance indicators, a corrective action plan (CAP) designed to correct any area(s) of noncompliance within one calendar year must be included. This plan should be documented in the “Activities” section of the KCMP Monitoring Document. If the district meets the state target for a particular indicator, the district must still develop a maintenance plan using the same process. See next section for guidance on developing appropriate activities.

Based on the causes determined by the DRT, identify between one and three activities that will likely have the greatest positive impact.

- Has a successful intervention/activity been implemented that needs to be continued?
- How can the district address issues of climate, culture, and history?
- What intervention strategies are being used or planned by the district already?
- How might the district bring about improved performance?
- What would yield the most immediate results or changes?
- What are the key factors the district can control that facilitate performance and compliance (e.g., policies, professional development/training, guidelines, dissemination of positive practices, monitoring)?
- How might the district evaluate the validity of the hypotheses formulated?
- How might the district evaluate the results of the interventions?

Based on periodic reviews and analysis, districts should revise the activities in the plan, as necessary. LEAs review new data evaluating trends over time and make programmatic changes that are data driven.

### **Step 6: Submit the Report**

The completed KCMP report is submitted to the local cooperative director via electronic mail by the day specified on the KCMP Instruction Manual. The district KCMP reports will be housed at the special education cooperatives. The coops will submit quarterly reports of regional data to DECS.

### **Step 7: Implement the Plan**

The district is responsible for implementing the improvement activities as written. Special Education Cooperatives are available to offer technical assistance as needed.

### **Step 8: Review and Evaluate Plan**

The district reviews and analyzes the activities in the plan periodically for effectiveness and to ensure correction of district-identified noncompliance in a timely manner.

### **Step 9: Cycle Continues**

The KCMP is a continual process of data collection, analysis and improvement planning. Districts review new data evaluating trends over time and make programmatic changes that are data driven.

### Considerations for Developing Quality Improvement Plan\*

The intent of this section is to provide a means by which improvement activities can be assessed using a “quality” scale. This guidance *should not be* considered as any type of “formal” assessment – rather it is simply a tool developed to stimulate thinking and discussion among district personnel responsible for developing or implementing improvement activities. Quality descriptions used for this scale represent a formalization of basic “Who”, “What”, “Where”, “How” and “When” concepts, along with other considerations related to development of improvement activities that are clearly and effectively developed. This scale is intended to *broadly assess* quality of improvement activities, since there can be multiple activities listed.

## Overall Rating of Improvement Activities

 No Revisions Needed    
  Some Revisions Needed    
  Extensive Revisions Needed    
  Start Over...?

\*This information was adapted from the SPP/APR Improvement Activity Review Form developed by the North Central Regional Resource Center (NCRRC). The North Central Regional Resource Center is supported through cooperative agreement #H326R040005 with the U.S. Department of Education, Office of Special Education Programs. The content contained herein do not necessarily reflect the policy or position of the U.S. Department of Education and no official endorsement should be inferred. There are no copyright restrictions on the SPP/APR Improvement Activity Review Form. However, please cite the source when copying or citing all or part of this material.

As indicated in the chart below, quality of improvement activities is assessed on a continuous dimension – from *High Quality* to *Low Quality*. As a general or “global” assessment of improvement activities under each indicator, the rating categories represented by various icons ranging from *No Revisions Needed* to *Start Over...?* can be used to assess overall quality.

	 <b>High Quality Activities...</b>		 <b>Low Quality Activities...</b>
	The “cause-effect” relationship between the activity and the goal is clear – you know how the goal will be impacted as a result of implementing the activity.	   	There is little or no indication that if the activity was implemented, the goal will be impacted in any meaningful way. The activity may be considered “good”, but bears little relationship to the intent of the goal.
<b>Improvement activities reflect district priorities...</b>	It is clear where the district is dedicating human and other resources. One understands what improvement activities the district deems most important and will receive the most attention.	   	Improvement activities are presented as a “laundry list” – one is unable to discern what should be done first or will be most likely to produce a desired outcome in relation to addressing the goal.

	 <b>High Quality Activities...</b>		 <b>Low Quality Activities...</b>
<b>Improvement activities are actionable...</b>	Improvement activities include “action steps” detailing what needs to happen when implemented. Action steps can be either expressed or implied, but it is clear that a series of events must occur in order to successfully implement the improvement activity.	   	Improvement activities are merely statements of vague intent. Frequently, “buzz words” and jargon give the impression that something will be accomplished (e.g., “ <i>Our agency will collaborate with X to strengthen and enhance cooperative relationships and resource sharing initiatives.</i> ”), but actually reveal little in the way of actions that will be taken.
<b>Improvement activities include measures of performance...</b>	A metric, benchmark, or target is included in the improvement activities. One is able to judge progress quantitatively (percentage, base rate, etc.)	   	No numbers or measures of progress of any type are included in the improvement activity. One is uncertain to what extent the improvement activity will contribute toward addressing the goal.
<b>Improvement activities are realistic...</b>	Improvement activities are “doable.” It is apparent the improvement activities can—and will—be implemented.	   	Even though each individual improvement activity is “doable,” there are too many listed. It is clear that the district has neither the resources nor the capacity to support all of the improvement activities it has generated for the goals.
<b>Improvement activities include timelines...</b>	A timeline of when the activity will be implemented is stated or implied.	   	No timeline is implied. Vague terms, like “ongoing” and “in the future” are used in place of a timeline.
<b>Improvement activities include technical assistance needs...</b>	A specific reference is made about the nature and intensity of technical assistance that will be needed to implement the activity.	   	A reference is made to a technical assistance provider, but it is unclear what the assistance will entail. A technical assistance center is mentioned, but with no explanation of outcomes/activities.
<b>Improvement activities identify responsibility for implementation...</b>	One knows “who to go to” to discuss overall progress of the implemented improvement activity.	   	No individual can be identified for taking responsibility for knowing about the improvement activity. A “group” may be referred to, but no connection can be made with a leader or responsible entity, e.g., “everyone” in the group is responsible, hence no one is responsible.

	😊 <b>High Quality Activities...</b>		📝 <b>Low Quality Activities...</b>
<b>Improvement Activities reflect innovation...</b>	It is clearly apparent that improvement activities were specifically designed to address the goal. One gets the impression of “fresh” and “new” perspectives are being considered to address the goal. The district is willing to take a “risk” because strategies used in the past have not produced positive results.	😊 😐 😞 📝	The same improvement activities appear year after year, even though there is little evidence they have “worked” in the past. The same improvement activities are used for multiple goals with little or no consideration of alignment, etc.

### KCMP Calendar of Events (Revised 3/1/10)

<b>KCMP Quarter 4</b>	<b>February 1 – March 30, 2010</b>
<b>KCMP/APR Indicators</b>	3A, 3B, 3C and 8
<b>Data Source</b>	Indicator 3 – Kentucky Performance Reports (KPR), NCLB Reports Indicator 8 – Parent Survey Data
<b>Timeline and Process Steps for Districts</b>	<ul style="list-style-type: none"> <li>• <b>March 1, 2010</b> –KCMP document and training materials are distributed to districts via KDE website</li> <li>• District assembles District Review Team (DRT) to: <b>Analyze Data, Determine Root Causes, Prioritize Root Causes and Develop Improvement Activities.</b></li> <li>• <b>April 30, 2010</b> – Districts submit completed KCMP document to Special Education Cooperative.</li> <li>• <b>May 28, 2010</b> – District submits clean data for Indicator 11 and Indicator 13 to special education Cooperative (2009-10 school year).</li> </ul>
<b>Timeline and Process Steps for DECS</b>	<ul style="list-style-type: none"> <li>• <b>May 28, 2010</b> DECS will receive Coop regional reports in order to review regional and state data for Indicators 3 and 8, Conduct Root Cause Analysis and review/revise APR Improvement Activities.</li> </ul>

## Definitions

1. **Admissions and Release Committee (ARC):** A group of individuals who are responsible for developing, reviewing, or revising an Individual Education Program (IEP) for a child with disabilities. The membership of this committee includes the parent(s), teacher(s) of general education, teacher(s) of special education, representative of the Local Education Agency (LEA) who is qualified to provide or supervise the provision of specially designed instruction, an individual who can interpret the evaluation results, related service provider(s), the child (if appropriate), and others as determined necessary.
2. **Annual Performance Report (APR):** A document submitted by the Kentucky Department of Education that reports annual progress toward meeting the state's twenty State Performance Plan goals. This report is submitted each February to OSEP.
3. **Compliance:** As defined in 707 KAR 1:002, means the obligations of state or federal requirements are met.
4. **Corrective Action Plan (CAP):** As defined in 707 KAR 1:002, means a written improvement plan describing activities and timelines, with persons responsible for implementation, developed to correct identified areas of non-compliance, including directives from the Kentucky Department of Education, specifying actions to fulfill a legal obligation.
5. **Determinations:** A decision made annually by the Office of Special Education Programs (OSEP) at the state level and by the Kentucky Department of Education for local districts after data relevant to the State Performance Plan (SPP) and Annual Performance Report (APR) indicators have been reviewed. States and local districts are assigned a determination of one of four categories: Meets Requirements, Needs Assistance, Needs Intervention and Needs Substantial Intervention. Sanctions must be invoked for any state or local district that does not Meet Requirements in a given year.
6. **District Review Team (DRT):** A Local Educational Agency (LEA) committee that includes parent(s) of children with disabilities (not employed by the district), teacher(s) of general education, teacher(s) of special education, administrators, and others as needed.
7. **Dropout:** As per End-of-Year Data Instructions, a special education student reported on the Exiting list who at some point during the 12-month reporting period was enrolled at the start of the reporting period, was not enrolled at the end of the reporting period, and did not exit special education through any of the other bases described. This includes dropouts, runaways, GED recipients who dropped out of school and then received their GED, students who were expelled, students whose status is unknown, students who moved and are not known to be continuing in another educational program, and other exiters from special education.

8. **Eligible Student:** A student evaluated in accordance with 707 KAR 1:300, as meeting the criteria for one or more of the 13 categories of disability, which has an adverse impact on the student's educational performance and who, as a result, needs special education and related services.
9. **Educational Environment:** The physical location where a student with a disability receives educational services in accordance with an IEP.
10. **Kentucky Continuous Monitoring Process (KCMP):** An ongoing self-evaluation process used by local school districts for data collection and analysis, program evaluation and improvement of a district's special education programs.
11. **Local Education Agency (LEA):** A public local board of education or other legally constituted public authority that has either administrative control or direction of public elementary or secondary schools in a district or other political subdivision in the Commonwealth. This includes the Kentucky School for the Blind (KSB) and the Kentucky School for the Deaf (KSD), as well as any agency that is charged by State statute with the responsibility of providing educational services to children with disabilities.
12. **Needs Assessment:** A continuous review and analysis of data by LEAs to determine specific district, school, parent and student needs.
13. **Parent:** means:
  - A biological or adoptive parent of a child
  - A guardian generally authorized to act as the child's parent, or authorized to make educational decisions for the child, but not the State if the child is a ward of the State
  - A person acting in the place of a biological or adoptive parent such as a grandparent, stepparent, or other relative with whom the child lives, or a person who is legally responsible for the child's welfare
  - A foster parent if the biological or adoptive parents' authority to make educational decisions on the child's behalf has been extinguished and the foster parent has an ongoing, long-term parental relationship with the child, is willing to make the educational decisions required of parents under 707 Chapter 1, and has no interest that would conflict with the interests of the child
  - A foster parent if the biological or adoptive parents grant authority in writing for the foster parent to make educational decisions on the child's behalf, and the foster parent is willing to make educational decisions required of parents under 707 Chapter 1, and has no interest that would conflict with the interests of the child
  - A surrogate parent who has been appointed in accordance with 707 KAR 1:340.
14. **Part B:** The section of the Individuals with Disabilities Education Act (IDEA) that funds educational services for children with disabilities ages three through twenty (3-20) and sets forth the legal obligations of LEAs under the act.

15. **Part C:** The section of the Individuals with Disabilities Education Act (IDEA) that funds early intervention services to infants and toddlers, from birth to three years old and sets forth the legal obligations for serving these students. In Kentucky, the agency responsible for implementation of Part C is First Steps.
16. **Sanctions:** Actions taken by the Kentucky Department of Education (KDE) in response to a LEA's failure to comply with requirements in IDEA as set forth in state and federal laws and administrative regulations related to the process for making Determinations and 707 KAR 1:380, Section 4. Examples of sanctions may include technical assistance, consultation, assignment of a Special Education Mentor, redirection of or withholding of funds in part or in whole or more severe actions as needed.
17. **Section 618 Data:** Data required by OSEP from each state and district as required by Section 618 of the IDEA. This information is reported by the district to KDE annually on Tables 1 through 5 and are submitted either on the December 1 Child Count or End-of-Year Report. Additional Section 618 data collected by the state through other means include data on assessment, complaints and hearings.
18. **Stakeholders:** People who have a vital interest in programs for children with disabilities. This includes parents, both general and special education teachers, related services providers, and administrators. To the extent appropriate, students with disabilities, higher education representatives and community members should be a part of this group.
19. **State Performance Plan (SPP):** A six-year plan required by Congress that requires each state to collect data and set targets for twenty indicators established by OSEP. The KCMP is used to support the state in the achievement and/or maintenance of the state's performance on these targets. Progress on the State Performance Plan is tracked through an Annual Performance Report submitted to OSEP each February. The [State Performance Plan](#) is available on the KDE website.
20. **Target:** The expected level of performance as determined by the State Performance Plan.

## Acronyms

1.	<b>APR</b>	Annual Performance Report
2.	<b>ARC</b>	Admissions and Release Committee
3.	<b>CAP</b>	Corrective Action Plan
4.	<b>CATS</b>	Commonwealth Accountability Testing System
5.	<b>CDIP</b>	Comprehensive District Improvement Plan
6.	<b>CSIP</b>	Comprehensive School Improvement Plan
7.	<b>CTBS</b>	Comprehensive Test of Basic Skills
8.	<b>DECS</b>	Division of Exceptional Children Services
9.	<b>DEIC</b>	District Early Intervention Committee
10.	<b>DRT</b>	District Review Team
11.	<b>DPP</b>	Director of Pupil Personnel
12.	<b>FAPE</b>	Free Appropriate Public Education
13.	<b>IDEA</b>	Individuals with Disabilities Education Act
14.	<b>IEP</b>	Individual Education Program
15.	<b>ILP/IGP</b>	Individual Learning Plan/Individual Graduation Plan
16.	<b>KAR</b>	Kentucky Administrative Regulations
17.	<b>KCMP</b>	Kentucky Continuous Monitoring Process
18.	<b>KDE</b>	Kentucky Department of Education
19.	<b>KECCAG</b>	Kentucky's Early Childhood Continuous Assessment Guide
20.	<b>KECTP</b>	Kentucky Early Childhood Transition Project
21.	<b>KISTS</b>	Kentucky In-School Transition Survey
22.	<b>KSB</b>	Kentucky School for the Blind
23.	<b>KSD</b>	Kentucky School for the Deaf
24.	<b>LEA</b>	Local Education Agency
25.	<b>LRE</b>	Least Restrictive Environment
26.	<b>NCLB</b>	No Child Left Behind
27.	<b>OSEP</b>	Office of Special Education Programs (federal)
28.	<b>SEA</b>	State Education Agency
29.	<b>SPP</b>	State Performance Plan
30.	<b>YOYO</b>	Youth One-Year-Out Survey

## Indicators At-a-Glance

*Note: Indicators shaded in gray will not be reported by districts in the KCMP Monitoring Document at the present time. Compliance indicators are italicized.*

Indicator No.	Indicator	Timeline and Additional Information
1	Percent of youth with IEPs graduating from high school with a regular diploma	Completed during November 1 – January 30 quarter
2	Percent of youth with IEPs dropping out of high school	
3a	Percent of districts meeting the State's AYP objectives for progress for disability subgroup	Completed during March 1 – May 31 quarter
3b	Participation rate for children with IEPs	
3c	Proficiency rate for children with IEPs	
4a	Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of children with disabilities for greater than 10 days in a school year	Completed during November 1 – January 30 quarter
4b	Percent of districts identified by the State as having a significant discrepancy in the rates of suspensions and expulsions of greater than 10 days in a school year of children with disabilities by race and ethnicity	Report at later date.
4c	Suspension rates for children with disabilities are comparable to the rates for non-disabled children within the district.	Completed during November 1 – January 30 quarter This indicator is not aligned with SPP requirements
5	Percent of children with IEPs aged 6 through 21 A. Removed from regular class less than 21% of the day. B. Removed from regular class greater than 60% of the day; or C. Served in public or private separate schools, residential placements, or homebound or hospital placements	Completed during April 1- June 30 quarter

Indicator No.	Indicator	Timeline and Additional Information
6	Percent of preschool children with IEPs who receive special education and related services in settings with typically developing peers (i.e., early childhood settings, home, and part-time early childhood/part-time early childhood special education settings)	Added to April 1 – June 30 quarter, but not reported at this time
7	Percent of preschool children with IEPs who demonstrate improved: <ul style="list-style-type: none"> <li>A. Positive social-emotional skills (including social relationships);</li> <li>B. Acquisition and use of knowledge and skills (including early language/ communication and early literacy); and</li> <li>C. Use of appropriate behaviors to meet their needs</li> </ul>	Report at later date
8	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	Completed during February 1 – March 30 quarter
9	<i>Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification</i>	Completed during April 1 – June 30 quarter
10	<i>Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</i>	
11	<i>Percent of children with parental consent to evaluate, who were evaluated and eligibility determined within 60 days (or state established timelines)</i>	Completed during August 1 – October 30 quarter
12	<i>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</i>	
13	<i>Percent of youth aged 16 and above with an IEP that includes coordinated, measurable, annual IEP goals and transition services that will reasonably enable the student to meet the postsecondary goals</i>	

Indicator No.	Indicator	Timeline and Additional Information
14	Percent of youth who had IEPs, are no longer in secondary school and who have been competitively employed, enrolled in some type of postsecondary school, or both, within one year of leaving high school	Report at end of SPP cycle (January 30, 2013)
15	<i>General supervision system (including monitoring, complaints and hearings.) corrects noncompliance as soon as possible but in no case later than one year from identification</i>	Completed during August 1 – October 30 quarter
16	<i>Percent of signed written complaints with reports issued that were resolved within 60 day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint</i>	State general supervision responsibility
17	<i>Percent of fully adjudicated due process hearing requests that were fully adjudicated within the 45 day timeline or a timeline that is properly extended by the hearing officer at the request of either party</i>	State general supervision responsibility
18	<i>Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements</i>	State general supervision responsibility
19	<i>Percent of mediations held that resulted in mediation agreements</i>	State general supervision responsibility
20	<i>State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</i>	Completed during November 1 – January 30 quarter  District reported data (Child Count, End-of-Year Exiting Table, KCMP Data, KCMP Monitoring Document, Maintenance of Fiscal Effort, Post-School Outcomes) are timely and accurate

## Technical Instructions

### 1. **Save document in 2008-09 KCMP Folder**

- The Director of Special Education will receive an email from KDE containing the district KCMP Monitoring Document. Open the email and drag the attached file to the 2008-09 KCMP folder onto the desktop. This folder was created during the previous KCMP quarter. If this was not done, you may do so now.
- Double click on the 2008-09 KCMP folder. Open the file you just placed there.
- e.g., Quarter 2 Kaysimp Co KCMP

Note: Unlike recent KCMP Monitoring Documents, the Quarter 2 KCMP Document is in Word format.

### 2. **Open KCMP Monitoring Document**

- Check to make sure that the district name and number appear on the first page. If not, type them in the provided spots.
- It will be necessary to scroll down to access the entire document.  
*If it is not possible to see the entire page, the window is probably too small. To adjust this window, click on the Maximize button in the top right corner of the window. (The maximize button is the square in between the – and the x.)*
- Data can only be entered in light gray fields.
- Calculations will be automatically completed and will appear in the salmon fields.
- Use the tab key to move from gray field to gray field.
- Click on the Save button (the one at the top that looks like a floppy disk) or click “File” and then “Save” often to save your work.
- See “Important Note” below to ensure all of your response is visible to KDE viewers.

### 4. **Printing the document**

- Print the document using the Print button on the menu page at this time to use for group discussion, planning and note taking.

### 5. **Entering information in the document**

- Begin by entering the dates of the DRT team meetings on the second page. Tab from field to field to enter team members and their titles.
- Since this word document does not have the functionality to do calculations built in, a separate Excel document will be supplied to the district to allow for this to be done. Use the numbers and calculations in the Excel sheet to enter into the appropriate fields in the Monitoring Document. Percentages must be entered as decimals in the Word document. For example to enter 100.00% into the document, you would enter a “1” since 1 = 100.00%. For 90% enter .90; 85% enter.85 and so on.

- To enter responses in the data analysis, root causes, and improvement or activities sections for each indicator, click in the appropriate box below before typing. Do not hit "enter" to move from section to section.
- Throughout the rest of the document, enter the data analysis, causes for district performance and activities for improvement or maintenance for each indicator.
- Save this work frequently

## 6. Submit the Document

Attach the KCMP Monitoring Document in an email and send to your local special education cooperative director. KCMP Monitoring Documents are no longer submitted directly to KDE.

### Summary of Changes

- The KCMP Monitoring Document is now in Word format instead of Excel.
- Do not use the enter key to move from field to field. Either use the tab button or click directly in the field where you wish to type.
- Fields where large amounts of text are typically entered (e.g., data analysis, explanation of root causes, activities etc.) are expandable fields and will display all text entered.
- District input data must be entered in decimal form rather than percentages. The decimals will automatically convert to percentages in the display.
  - To input 100% - Type "1" in the field.
  - To input 90% - Type .90
  - To input 85% - Type .85, etc.

### Specific Instructions for KCMP Indicator 3

Participation and performance of children with IEPs on statewide assessments:

- A. **NA.** *This is a state level indicator*
- B. Participation rate for children with IEPs.
- C. Proficiency rate for children with IEPs against grade level, modified, and alternate academic achievement standards.

#### DECS expectations for how districts will calculate Indicator 3:

#### 3B. Participation Rate

2008-2009 State Target:	Reading:	100.00%
	Math:	100.00%
2008-2009 Actual State Data		100.00%

**Measurement:**

**Reading Participation Rate** = ([# of children with IEPs participating in the Reading Assessment] divided by the [# of children with IEPs enrolled during the testing window who should have taken the Reading Assessment]) times 100.  
**Math Participation Rate** = ([# of children with IEPs participating in the Math Assessment] divided by the [# of children with IEPs enrolled during the testing window who should have taken the Math Assessment]) times 100.  
**NOTE:** The participation rate is based on all children with IEPs, including both children with IEPs enrolled for a full academic year and those not enrolled for a full academic year.

#### 3B. Directions

- o **Districts will use the provided table to enter their data.** (For Reading, Page 3 of the district NCLB AYP Report for 2009 and for Math, Page 4)
- o **Districts that reported 100% participation rate for children with disabilities must complete the following steps:**
  - Consider the general questions (and specific questions if necessary) on the following pages and analyze data
  - Determine and explain root causes for the district’s success
  - Develop Maintenance plan
- o **Districts that reported less than a 100.00% participation rate for children with disabilities must complete the following steps:**
  - Consider the general questions on the following pages and analyze data
  - Determine and explain root causes
  - Develop Action Plan for how the district will begin to analyze assessment data to the depth required (see Indicator 3 Specific Questions)

The following must be included:

  - Action Steps
  - Person(s) Responsible
  - Timeline
  - Evaluation method (What evidence will be collected to document implementation of the strategy and how you will know if you are making progress?)

**3C. Proficiency Rate**

2008-2009 State Target:	Reading:	39.82%
	Math:	38.00%
2008-2009 Actual State Data:	Reading: 4	41.91%
	Math:	38.33%

**Measurement:**

Proficiency rate percent = ((# of children with IEPs enrolled for a full academic year scoring at or above proficient) divided by the (total # of children with IEPs enrolled for a full academic year, calculated separately for reading

**3C. Directions**

- **Districts will use the provided table to enter their data.**
- **Districts who reported both 39.82% or higher for reading and 38% or higher for math must complete the following steps:**
  - Consider the general questions (and specific questions if necessary) on the following pages and analyze data
  - Determine and explain root causes for the district's success
  - Develop Maintenance plan
- **Districts that reported lower than 39.82% for reading or lower than 38% for math must complete the following steps:**
  - Consider the general questions on the following pages and analyze data
  - Determine and explain root causes
  - Develop Action Plan for how the district will begin to analyze assessment data to the depth required (see Indicator 3 Specific Questions)

The following must be included:

  - Action Steps
  - Person(s) Responsible
  - Timeline
  - Evaluation method (What evidence will be collected to document implementation of the strategy and how you will know if you are making progress?)

**Data Source for 3B and 3C:** District wide NCLB AYP Report for 2009

**Data Collection Schedule:** Annual

Please enter the districts data into the shaded area in table below.

FFY 2008	Measurable and Rigorous Targets							
Indicator	3B - <u>Participation</u> for Students with IEPs						3C - <u>Proficiency</u> for Students with IEPs	
Targets for FFY 2008 (2008-2009)	Reading			Math			Reading	Math
		100%			100%			39.82%
Actual District Data for FFY 2008 (2008-2009)	Enrolled With IEPs	Tested	Percent Participation	Enrolled With IEPs	Tested	Percent Participation	Percent Proficient	Percent Proficient

**Investigative Questions- Indicator 3**

**‘General Questions’ - For students with disabilities:**

- Has the district met the state APR target this year?
- Has there been progress or slippage in AYP data since last year?
- What have been the AYP trends been in the last four years (up or down trend line)?
- Where is it going well and where is it not going well? District strengths and concerns?
- What patterns are there? (Use Indicator specific investigative questions to answer)
- Are there patterns with:
  - Schools
  - Teachers
  - School levels (i.e., elementary versus secondary)
  - Degree of co-op involvement
  - Staffing (i.e., administrator changes, central office changes, teacher retirement)
  - Low expectations for students with disabilities

**Indicator 3 ‘Specific Questions’ - For students with disabilities:**

Overall Look at Data

- What does novice reduction data look like?
- Is the district or school tracking assessment trend line data on students with disabilities and nondisabled students from year to year?
- Is assessment data for this indicator representative of the participation and performance levels in your region?
- Has the district or school analyzed assessment data based on where students with disabilities receive services (i.e., collaborative classroom, resource, self contained etc.)?

## 1. Core Content

- a. Access to Core Content
  - i) Do all students have access to the core content and higher levels of instructional practices?
  - ii) Is there a focus on evidence-based interventions?
  - iii) Is your district implementing a system of Response to Intervention?
  - iv) Are teachers knowledgeable of the five components of reading and how they interrelate? How do you know?
  - v) Do students receive high quality, evidence-based writing instruction? How do you know?
- b. Do students receive high quality, evidence-based math instruction? How do you know?
- c. Comparing classes and content being taught
- d. Do all collaborative classes have the same high level of instruction and higher order thinking skills as non collaborative classes?
- e. Are you tracking?
  - i) Does the district have a plan for evaluating the fidelity of core content implementation?
  - ii) Are all lower students tracked into the same classroom or classes throughout the day? Why?
  - iii) How is the fidelity of implementation of research-based programs assessed?
  - iv) Who assesses the fidelity of implementation?
  - v) How often if program fidelity assessed?
  - vi) Do teachers or staff have lower expectations for some students and instruct them differently?

## 2. Assessment

- a. How does the district ensure content being taught is aligned to core content?
- b. Do principals ever collect teacher assessments for review?
  - i) Do school administrators use the data to help teachers meet the needs of students (e.g., staff development, change curriculum, professional growth plans)?
  - ii) Is feedback on classroom assessments given to individual teachers?

## 3. Instructional Practices

- a. How is individual student progress monitored? How frequently?
- b. Are the strongest teachers with the weakest students?
- c. Has the district or school identified those students (by individual student not group) within your district and schools who are not meeting benchmarks or NCLB targets?
- d. How do teachers vary instructional practices based on individual student need and ongoing progress monitoring?
  - i) Which instructional strategies do teachers use systematically with all students?
- e. Which research-based intervention strategies or programs do teachers use with targeted students?
- f. How do teachers use data to vary their instructional practices?
  - i) When there is a discrepancy between a student and peers, are students provided targeted instructional supports?

#### 4. Monitoring and Expectations

- a. Does district and school leadership know students who are not meeting benchmark or NCLB goals by name?
- b. Does district and school leadership monitor to ensure all teachers can identify students who are not meeting benchmark or NCLB goals by name?
- c. Does district or school leadership monitor classroom instructional practices to ensure teachers are varying strategies based on individual student need?
  - i) To what degree have teachers received training on implementation of selected research-based instructional practices?
  - ii) Do teachers receive feedback on general principles of effective instruction such as high rates of engagement, frequent positive feedback, immediate error correction, opportunities for students to make active responses, etc?
  - iii) Does the district have a coaching process in place to determine the extent to which teachers demonstrate effective instructional practices
- d. Does district and school leadership determine PD based on assessment data?
  - i) To what degree have teachers received training on applicable research-based curricular programs?
  - ii) Has ongoing professional development addressed the problem areas?
  - iii) What other types of PD follow-up activities are implemented?
  - iv) Is comprehensive and on-going professional development in curriculum, instruction, measurement, and problem solving offered to staff as part of a continuous improvement process?

#### 5. Individual Students

- a. Does the district or school identify struggling students?
- b. What criteria are used to determine if a student is struggling?
- c. What is different about the way you teach students who have been identified as struggling?
  - i) Are the likely 'root causes' of the student's academic or behavioral difficulties (e.g., skill deficit, lack of motivation) determined and intervention strategies chosen that logically address those root causes.
- d. Does the district or school identify areas where students are weak on? Does the district or school identify student errors on the KCCT?
- e. Does the district or school identify students who are almost to apprentice, almost to proficient, or almost to distinguished so they give them the little extra they need to move up in performance level?
- f. Are data analyzed at the student level to inform decision-making, etc.
- g. What does leadership do with this information?
  - i) Are resources allocated to instructional staff based on student needs documented by progress monitoring data (e.g. staff with more needs have more resources).
- h. What are teachers expected to do with the information?
  - i) Do grade level teaching teams meet to discuss student progress and instructional changes on a systematic basis?

**Specific instructions for completing Indicator 3B (Participation) on the KCMP Monitoring Document:**

1. Source is the district's NCLB Adequate Yearly Progress for 2009. This document can be downloaded in PDF format at the link below. Make sure you select the file for your district.  
<http://applications.education.ky.gov/ktr/default.aspx>
2. Data for reading is located on page 3 of this report while math is located on page 4. The tables for both reading and math are the same with respect to layout and design, only the data is different.

Indicator 3B Participation Rates (Page 3 of district wide report for Reading and Page 4 for Math)

	Reading AMO				Participation Rate			Other Academic Indicator(s)		
	2008		2009		2009			Above Assistance	Graduation Rate	
	No. Students	% Proficient	No. Students	% Proficient (Low, High)	Enrollment	Tested	Percentage	2008 (sch. state)	2007	2008
All Students	387,792	68.34	389,585	69.08 ( 68.87, 69.29)	389,589	389099	99.87	Yes ( 0.4, 0.8)	83.86	84.93
White (Non-Hispanic)	326,799	70.87	326,209	71.54 ( 71.32, 71.76)	326,212	325876	99.90			
African-American	41,126	49.72	41,391	x 52.09 ( 50.40, 53.79)	41,392	41,269	99.70			
Hispanic	9,144	60.18	10,046	62.11 ( 60.78, 63.44)	10,046	10,032	99.86			
Asian	3,735	79.58	4,040	79.06 ( 77.27, 80.85)	4,040	4,036	99.90			
Limited English Proficiency	4,925	45.18	6,412	x 45.97 ( 44.27, 47.67)	6,412	6,408	99.94			
Free/Reduced Lunch	192,540	58.71	201,239	x 60.00 ( 58.70, 61.30)	201,241	200962	99.86			
With Disability	51,801	41.04	56,737	x 43.33 ( 42.76, 43.90)	56,737	56623	99.80			

\* The graph above presents the 2009 percentage of students at or above proficiency with a 99% confidence interval.  
 \* The top of the shaded area of the graph indicates the 2009 Annual Measurable Objective (AMO) target for reading.  
 \* The 2009 percent proficient or above is presented in the table along with the low and high points of the confidence interval around the 2009 percentage.  
 \* The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not made.  
 \* Sufficient size for AMOs is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades OR the number of students in the subpopulation is at least 1% of all students in these combined grades. (Accountable Students)  
 \* Sufficient size for Participation is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades. (Tested Students)  
 \* The No. Students column includes the total of all accountable students in each grade where NCLB assessments are administered.

Run Date: 01/27/2010

Note that the last row in the table above is specific to students 'With Disability'. The section immediately below is the section of the table above highlighted in the red box. For 3B, # Enter the value in the last row for Tested. For 3B % Enter the value in the last row from the column labeled Percentage. There are separate Tables for both Reading (page 3) and Math (page 4), however the layout is the same.

**Specific instructions for completing Indicator 3B (Continued)**

Participation Rate		
2009		
Enrollment	Tested	Percentage
389,589	389099	99.87
326,212	325876	99.90
41,392	41,269	99.70
10,046	10,032	99.86
4,040	4,036	99.90
6,412	6,408	99.94
201,241	200952	99.86
56,737	56623	99.80

**3B Reading/Math with IEPs**

Count of the number of students with IEPs in the grades tested for Reading

**3B Students with IEPs taking the Reading/Math Assessment**

Count of the number of students with IEP who tested for Reading

**3B Percent/Math Participation**

Percent of students with IEPs who took the Reading Assessment

**Specific instructions for completing Indicator 3C (Proficient) on the KCMP Monitoring Document:**

1. Source is the district’s NCLB Adequate Yearly Progress for 2009. This document can be downloaded in PDF format at the link below. Make sure you select the file for your district.  
<http://applications.education.ky.gov/ktr/default.aspx>
2. Data for reading is located on page 3 of this report while math is located on page 4. The tables for both reading and math are the same with respect to layout and design, only the data is different.

Indicator 3C Proficient (Page 3 of district wide report for Reading and Page 4 for Math)

	Reading AMD				Participation Rate			Other Academic Indicator(s)		
	2008		2009		2009			2008 (sch. state)	2007	2008
	No. Students	% Proficient	No. Students	% Proficient (Low, High)	Enrollment	Tested	Percentage	Yes ( 0.4, 0.8)	83.96	84.93
All Students	387,792	68.34	389,585	69.08 ( 68.87, 69.29)	389,589	389099	99.87			
White (Non-Hispanic)	326,799	70.87	326,209	71.54 ( 71.32, 71.76)	326,212	325876	99.90			
African-American	41,126	49.72	41,391	x 52.09 ( 50.45, 52.79)	41,392	41,269	99.70			
Hispanic	9,144	60.18	10,046	62.11 ( 60.78, 63.44)	10,046	10,032	99.86			
Asian	3,735	79.58	4,040	79.06 ( 77.27, 80.85)	4,040	4,036	99.90			
Limited English Proficiency	4,925	45.18	6,412	x 45.97 ( 44.27, 47.67)	6,412	6,408	99.94			
Free/Reduced Lunch	192,540	58.71	201,239	x 60.00 ( 59.70, 60.30)	201,241	200962	99.86			
With Disability	51,801	41.04	56,737	x 47.37 ( 42.76, 47.90)	56,737	56623	99.80			

- The graph above presents the 2009 percentage of students at or above proficiency with a 99% confidence interval.
- The top of the shaded area of the graph indicates the 2009 Annual Measurable Objective (AMO) target for reading.
- The 2009 percent proficient or above is presented in the table along with the low and high points of the confidence interval around the 2009 percentage.
- The areas highlighted in red indicate where Adequate Yearly Progress (AYP) was not made.
- Sufficient size for AYP is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades OR the number of students in the subpopulation is at least 1% of all students in these combined grades. (Accountable Students)
- Sufficient size for Participation is: a) at least 10 students in the subpopulation in each grade where NCLB assessments are administered, AND b) at least 60 students in the subpopulation in these combined grades. (Tested Students)
- The No. Students column includes the total of all accountable students in each grade where NCLB assessments are administered.

Run Date: 01/27/2010

The table immediately below is the highlighted section of the table above and reports the percent of students who scored proficient or above. On page 3 of the district wide NCLB AYP report the last cell in this column is to be reported as the Percent Reading. On page 4, of the report, that cell is to be reported as the percent in Math scoring Proficient or above.

	2009
% Proficient (Low, High)	69.08 ( 68.87, 69.29)
	71.54 ( 71.32, 71.76)
	x 52.09 ( 50.45, 52.79)
	62.11 ( 60.78, 63.44)
	79.06 ( 77.27, 80.85)
	x 45.97 ( 44.27, 47.67)
	x 60.00 ( 59.70, 60.30)
	x 47.37 ( 42.76, 47.90)

Remember when entering a percent in the KCMP document, it is to be entered at a decimal point value so that 100.00% should be entered as “1” and 55.25% should be entered as “0.5525”.

**Specific instructions for completing Indicator 8 on the KCMP Monitoring Document:**

**Indicator 8:** 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.

**2008-09 State Target: 29.50%**

**2008-09 State Performance Rate: 27.90%**

**Measurement:**

Percent=[(#of respondent parents who report schools facilitated parent involvement as a means of improving services and results for children with disabilities) divided by the (total # of respondent parents of children with disabilities)] times 100.

**Data Source:** KDE parent survey.

**Data Collection Schedule:** Annual for select districts

**Indicator 8 Information:**

**\*Please note that Indicator 8 has a different format than the rest of the KCMP documents.**

**Overview:** Indicator 8 looks at whether parents believe that districts facilitate parent involvement. Data is collected yearly by using the KDE parent survey. The survey is comprised of 25 questions related to family engagement/involvement of parents and families who currently have a child receiving special education services.

The paper-based survey is distributed to a sample of districts yearly; however, all parents statewide may access the survey online during the Spring.

**Because KDE does not currently have parent involvement data for every district, the State is focused on improving results for Indicator 8 statewide.**

**The two lowest ranked survey items are:**

- Item #2: In preparation for my child's transition planning meeting I was given information about options my child will have after high school
- Item #7: I was given information about organizations that offer support for parents of students with disabilities.

**Therefore, KDE/DECS is requesting districts to develop an action plan based on these two items.**

**Additionally, the district will develop an action plan to increase the statewide online survey response rate. Note: KDE will alert districts when the online survey is available**

## **Directions**

Under '**Data Analysis,**' explain:

- What is the district currently doing to help parents with the post-secondary transition process? List all activities and/or resources the district currently has in place, such as transition fairs, transition manuals, etc.
- What is the district currently doing to help parents connect with community supports for their children with exceptional needs? List all activities and/or resources the district currently has in place, such as a resource manual, trainings involving outside agencies, etc.
- The accessibility/ availability of technology for parents of students receiving special education services in the district

Under '**Activities with Action Steps,**' create:

- One activity that focuses on parent involvement in the post-secondary transition process, and
- One activity that focuses on connecting parents to community supports.
- One activity to improve parent participation of the online KDE parent survey within your district.

## **Investigative Questions – Indicator 8**

### **Indicator 8**

#### **General Questions:**

- Are teachers available to speak with parents?
- Do teachers and administrators seek out parent input?
- Is the child's evaluation report written in terms parents can understand?
- Does the district align family engagement with district learning goals and standards?
- Does each building have specified staff available to answer specific parent questions pertaining to students who receive special education services?
- Does the district provide professional development opportunities to district personnel centered on family engagement, specifically post-secondary transition and community supports?
- Does the district have a feed-back loop in place with families to plan, implement and assess activities?
- Does each school communicate regularly with parents regarding their child's progress on IEP goals, etc?
- Does family involvement/engagement align with student achievement goals?

## Kentucky Department of Education Data Verification Process

Based upon analysis of district level data available to the Kentucky Department of Education, including KCMP data, DECS will conduct a series of data verification visits to districts throughout the year. The focus of these visits will be to ensure that data provided from districts to the department are not only timely, but also **accurate** and **reliable**. Districts will be notified by the designated team leader approximately two weeks before the actual date of the visit and districts will be given a brief overview of the visit at that time.

While onsite, DECS will:

- Review individual student records used in reporting compliance data and look at comparison folders not used for the KCMP for consistency
- Interview district personnel, including administrators and members of the DRT
- Interview parents and other non district employees who participate on the DRT
- Look for evidence that improvement activities are implemented
- Address any other unforeseen issues that may arise

Within 60 calendar days of the visit, DECS will issue a report to the district outlining the findings of the data verification team including any instances of noncompliance. There is a one year time frame from the date the report is issued until DECS must validate and report back to the district that all deficiencies have been corrected.

Within the one year time frame specified above, DECS follows the steps outlined in 707 KAR 1:280 Section 1:

- Prior to the development of a corrective action plan (CAP) the district will be provided an opportunity to submit additional information or to verify or clarify issues related to the report
- A CAP shall be submitted to KDE no later than 30 business days after the district receives the report of noncompliance
- The CAP must include:
  - A statement of the matter to be corrected
  - The steps the LEA shall take to correct the problem and document compliance
- Within 30 business days of receiving the CAP, KDE shall notify the district of the status of the CAP. The district shall have 30 business days to submit a new CAP.
- A CAP approved by KDE shall be monitored and shall be an official document requiring the district to meet the specified activities. The Kentucky Department of Education shall not initiate further sanctions during the time period specified in the CAP unless requested by the district.

## District Determinations and Sanctions

KDE is now required by federal regulation to make annual Determinations for all districts in the state relevant to the district's performance with IDEA requirements. Per 20 USC 1416(e) Enforcement, there are four levels of determination. Districts that "**Meet Requirements**" have met the legal obligations as set for that year's determinations as determined by OSEP. The other levels and accompanying sanctions are as follows:

- **NEEDS ASSISTANCE**.—If the KDE determines, for 2 consecutive years, that a district needs assistance, the KDE shall take 1 or more of the following actions:
  - (A) Advise the district of available sources of technical assistance Such technical assistance may include—
    - (i) **the provision of advice by experts**
    - (ii) assistance in identifying and implementing professional development, instructional strategies, and methods of instruction that are based on scientifically based research;
    - (iii) designating and using distinguished superintendents, principals, special education administrators, special education teachers, and other teachers to provide advice, technical assistance, and support; and
    - (iv) devising additional approaches to providing technical assistance, such as collaborating with institutions of higher education, educational service agencies, national centers of technical assistance supported under part D, and private providers of scientifically based technical assistance.
  - (B) **Direct the use of district-level funds** under section 611(e) on the area or areas in which the State needs assistance.
  - (C) **Identify** the district **as a high-risk grantee and impose special conditions** on the district's grant under this part.
- **For "Needs' Intervention"** (3 or more consecutive years)
  - (i) Require the district to prepare a corrective action plan or improvement plan if the KDE determines that the district should be able to correct the problem within 1 year.
  - (ii) Require the district to enter into a compliance agreement under section 457 of the General Education Provisions Act, if the KDE has reason to believe that the district cannot correct the problem within 1 year.
  - (iii) For each year of the determination, **withhold not less than 20 percent and not more than 50 percent of the district's funds** under section 611(e), until the KDE determines the district has sufficiently addressed the areas in which the district needs intervention.
  - (iv) Seek to recover funds under section 452 of the General Education Provisions Act.
  - (v) **Withhold, in whole or in part, any further payments** to the district under this part pursuant to paragraph (5).
- **For "substantial intervention"** [the KDE] shall take 1 or more of the following actions:
  - (A) **Recover funds** under section 452 of the General Education Provisions Act.
  - (B) **Withhold, in whole or in part, any further payments** to the district under this part.

Previously Kentucky followed the provisions of 707 KAR 1:380 Sections 3 and 4 concerning the implementation of sanctions. However, since federal requirements supersede state regulation, the state must invoke the procedures as set forth above.

The KDE gives notice at least ten (10) school days prior to initiating actions related to sanctions. The KDE remains in contact with the LEA staff during the imposition of sanctions until the deficiencies are remedied.