

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its FFY 2009 and FFY 2010 improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>Rather than reporting the required graduation rate calculation and timeline established by the Department under the Elementary and Secondary Education Act (ESEA), the State utilized its IDEA Section 618 data. The State's FFY 2009 reported data for this indicator are 72.79%. These data represent progress from the FFY 2008 data of 72.07%. The State did not meet its FFY 2009 target of 75.9%.</p>	<p>OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its FFY 2009 and FFY 2010 improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 3.10%. These data represent progress from the FFY 2008 data of 3.23%. The State met its FFY 2009 target of 3.48%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments: A. Percent of the districts with a disability subgroup that meets the State's minimum "n" size that meet the State's AYP targets for the disability subgroup. [Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 63.79%. These data represent progress from the FFY 2008 data of 58.62%. The State met its FFY 2009 target of 52%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<p>3. Participation and performance of children with IEPs on statewide assessments:</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to</p>	<p>OSEP appreciates the State's efforts to improve performance. The State did not report publicly</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>B. Participation rate for children with IEPs. [Results Indicator]</p>	<p>comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 100% for reading and 100% for math. These data remain unchanged from the FFY 2008 data of 100% for reading and 100% for math. The State met its FFY 2009 targets of 100%.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results. However, the data posted at the Web link provided by the State do not show that the State met the reporting requirements in 34 CFR §300.160(f), for the following reasons: the data do not provide the number of children with disabilities in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State, district and school levels. In addition, the data do not provide the number of children with disabilities, if any, participating in alternate assessments based on alternate academic achievement standards, at the State, district, and school levels.</p>	<p>on the participation of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported the number of children with disabilities in regular assessments, and the number of those children who were provided accommodations (that did not result in an invalid score) in order to participate in those assessments at the State, district and school levels. Additionally, the State has not reported the number of children with disabilities, if any, participating in alternate assessments based alternate academic achievement standards, at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2010 APR, due February</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).
<p>3. Participation and performance of children with disabilities on statewide assessments:</p> <p>C. Proficiency rate for children with IEPs against grade level, modified and alternate academic achievement standards.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 47.15% for reading and 41.97% for math. These data represent progress from the FFY 2008 data of 41.91% for reading and 38.33% for math. The State met its FFY 2009 target of 40.02% for reading and did not meet its FFY 2009 target of 43% for math.</p> <p>The State provided a Web link to 2009 publicly-reported assessment results. However, the data posted at the Web link provided by the State do not show that the State met the reporting requirements in 34 CFR §300.160(f), because the data do not provide, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments with accommodations, and alternate assessments based on alternate academic achievement standards, at the State, district, and school levels.</p>	<p>OSEP appreciates the State’s efforts to improve performance and looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p> <p>The State did not report publicly on the performance of children with disabilities on statewide assessments at the district and school level with the same frequency and in the same detail as it reports on the assessments of nondisabled children, as required by 34 CFR §300.160(f). Specifically, the State has not reported, compared with the achievement of all children, including children with disabilities, the performance results of children with disabilities on regular assessments with accommodations, and alternate assessments based on alternate academic achievement standards, at the State, district, and school levels. The failure to publicly report as required under 34 CFR §300.160(f) is noncompliance.</p> <p>Within 90 days of the receipt of</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>this response table, the State must provide a Web link that demonstrates it has reported to the public on the statewide assessments of children with disabilities in accordance with 34 CFR §300.160(f). In addition, OSEP reminds the State that in the FFY 2010 APR, due February 1, 2012, the State must continue to include a Web link that demonstrates compliance with 34 CFR §300.160(f).</p>
<p>4. Rates of suspension and expulsion:</p> <p>A. Percent of districts that have a significant discrepancy in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 7.39%. These data remain unchanged from the FFY 2008 data of 7.39%. The State did not meet its FFY 2009 target of 6.82%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that all of its 176 districts met the State-established minimum “n” size requirement of ten students with disabilities.</p> <p>The State reported that it reviewed the LEAs’ policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEAs identified with significant discrepancies based on FFY 2008 data. The State did not identify any noncompliance through this review.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2010 APR, due February 1, 2012.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a)</p>	<p>The State provided FFY 2009 baseline, using FFY 2008 data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator.</p>	<p>OSEP appreciates the State’s efforts regarding this indicator and looks forward to data in the</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>[Compliance Indicator]</p>	<p>The State’s FFY 2009 baseline data for this indicator are .57%.</p> <p>The State reported that ten of 176 districts were identified as having a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs based on the calculation of risk ratios. The State reported that only one of the ten districts with significant discrepancy met the State’s minimum “n” size requirement. The State also reported that this one district was identified as having policies, procedures or practices that contribute to the significant discrepancy and do not comply with the requirements relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that one of the ten districts with significant discrepancies met the minimum “n” size requirement of ten students in the focus race/ethnicity group and was included in the review of policies, procedures and practices. Because the State applied the “n” size after determining the risk ratio, it did not report the total number of districts that would be excluded under this “n” size.</p> <p>The State reported that it reviewed the one LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, as required by 34 CFR §300.170(b) for the LEA identified with significant discrepancies based on FFY 2008 data. The State identified noncompliance through this review.</p> <p>The State reported that it revised (or required the affected LEA to revise), the LEA’s policies, procedures, and practices relating to the development and implementation of IEPs, the use of positive behavioral interventions and supports, and procedural safeguards to ensure compliance with the IDEA, pursuant to 34 CFR §300.170(b) for the LEA identified with significant discrepancies based on FFY 2008 data.</p>	<p>FFY 2010 APR, due February 1, 2012, demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2009 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator. The State must demonstrate, in the FFY 2010 APR, that the district identified with noncompliance based on FFY 2008 data has corrected the noncompliance, including that the State verified that the district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction. If the State is unable to demonstrate</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
		<p>compliance with those requirements in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p> <p>OSEP will be carefully reviewing each State’s methodology for identifying “significant discrepancy” and will contact the State if there are questions or concerns.</p>																				
<p>5. Percent of children with IEPs aged 6 through 21 served:</p> <p>A. Inside the regular class 80% or more of the day;</p> <p>B. Inside the regular class less than 40% of the day; or</p> <p>C. In separate schools, residential facilities, or homebound/hospital placements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="550 950 1583 1424"> <thead> <tr> <th></th> <th><u>FFY 2008 Data</u></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2009 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Inside the regular class 80% or more of the day</td> <td align="center">69.63</td> <td align="center">70.80</td> <td align="center">64.5</td> <td align="center">1.17%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">9.84</td> <td align="center">9.52</td> <td align="center">11.1</td> <td align="center">0.32%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">2.09</td> <td align="center">1.85</td> <td align="center">2.05</td> <td align="center">0.24%</td> </tr> </tbody> </table> <p>These data represent progress from the FFY 2008 data. The State met all of its FFY 2009 targets for this indicator.</p>		<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	69.63	70.80	64.5	1.17%	B. % Inside the regular class less than 40% of the day	9.84	9.52	11.1	0.32%	C. % In separate schools, residential facilities, or homebound/hospital placements	2.09	1.85	2.05	0.24%	<p>OSEP appreciates the State’s efforts to improve performance.</p>
	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	69.63	70.80	64.5	1.17%																		
B. % Inside the regular class less than 40% of the day	9.84	9.52	11.1	0.32%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	2.09	1.85	2.05	0.24%																		

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																
<p>6. Percent of children aged 3 through 5 with IEPs attending a:</p> <p>A. Regular early childhood program and receiving the majority of special education and related services in the regular early childhood program; and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</p>	<p>The State is not required to report on this indicator in the FFY 2009 APR.</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR, due February 1, 2012.</p>																
<p>7. Percent of preschool children age 3 through 5 with IEPs who demonstrate improved:</p> <p>A. Positive social-emotional skills (including social relationships);</p> <p>B. Acquisition and use of knowledge and skills (including early language/communication and early literacy); and</p> <p>C. Use of appropriate behaviors to meet their needs.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are:</p> <table border="1" data-bbox="548 948 1583 1453"> <thead> <tr> <th data-bbox="548 948 959 1045"><u>Summary Statement 1</u></th> <th data-bbox="959 948 1163 1045"><u>FFY 2008 Data</u></th> <th data-bbox="1163 948 1373 1045"><u>FFY 2009 Data</u></th> <th data-bbox="1373 948 1583 1045"><u>FFY 2009 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="548 1045 959 1183">Outcome A: Positive social-emotional skills (including social relationships) (%)</td> <td align="center" data-bbox="959 1045 1163 1183">68.1</td> <td align="center" data-bbox="1163 1045 1373 1183">82.1</td> <td align="center" data-bbox="1373 1045 1583 1183">56</td> </tr> <tr> <td data-bbox="548 1183 959 1354">Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)</td> <td align="center" data-bbox="959 1183 1163 1354">62.7</td> <td align="center" data-bbox="1163 1183 1373 1354">64.7</td> <td align="center" data-bbox="1373 1183 1583 1354">57</td> </tr> <tr> <td data-bbox="548 1354 959 1453">Outcome C: Use of appropriate behaviors to meet their needs (%)</td> <td align="center" data-bbox="959 1354 1163 1453">31.7</td> <td align="center" data-bbox="1163 1354 1373 1453">83.9</td> <td align="center" data-bbox="1373 1354 1583 1453">49</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	Outcome A: Positive social-emotional skills (including social relationships) (%)	68.1	82.1	56	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	62.7	64.7	57	Outcome C: Use of appropriate behaviors to meet their needs (%)	31.7	83.9	49	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>
<u>Summary Statement 1</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>															
Outcome A: Positive social-emotional skills (including social relationships) (%)	68.1	82.1	56															
Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	62.7	64.7	57															
Outcome C: Use of appropriate behaviors to meet their needs (%)	31.7	83.9	49															

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues				OSEP Analysis/Next Steps
	<u>Summary Statement 2</u>	<u>FFY 2008 Data</u>	<u>FFY 2009 Data</u>	<u>FFY 2009 Target</u>	
	Outcome A: Positive social-emotional skills (including social relationships) (%)	39.7	57.8	35	
	Outcome B: Acquisition and use of knowledge and skills (including early language/ communication) (%)	35.5	52.6	35	
	Outcome C: Use of appropriate behaviors to meet their needs (%)	27.6	60.9	34	
	<p>These data represent progress from the FFY 2008 data. The State met its FFY 2009 targets for this indicator.</p> <p>OSEP’s FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to include in the FFY 2009 APR, due February 1, 2011, the steps the State has taken to ensure that the denominators are consistent across all three outcome areas, and the data are valid and reliable. The State provided all of the required information.</p>				
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. [Results Indicator]	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 34%. These data represent progress from the FFY 2008 data of 27.9%. The State met its FFY 2009 target of 30%.</p> <p>The State uses an OSEP-approved sampling plan for this indicator. The State indicated that the State will use years 1 and 2 of its previously-approved sampling plan to collect data in FFY 2011 and FFY 2012, respectively.</p> <p>In its description of its FFY 2009 data, the State addressed whether the response group was representative of the population.</p>				OSEP appreciates the State’s efforts to improve performance.

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>9. Percent of districts with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data represent progress from the FFY 2008 data of 1.14%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that eight districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that none of the districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State reported that one of two findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the remaining finding was subsequently corrected by February 1, 2011.</p> <p>The State provided its definition of "disproportionate representation."</p> <p>The State reported that one of 176 districts did not meet the State-established minimum "n" size or cell size requirement of ten students with disabilities.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>
<p>10. Percent of districts with disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 0%. These data represent progress from the FFY 2008 data of 4.55%. The State met its FFY 2009 target of 0%.</p> <p>The State reported that 22 districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no district was identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.</p> <p>The State reported that one of two findings of noncompliance identified in FFY 2008 was corrected in a timely manner and that the remaining finding subsequently was corrected by February 1, 2011.</p>	<p>OSEP appreciates the State's efforts regarding this indicator.</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	<p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported one of 176 districts did not meet the State-established minimum “n” size or cell size requirement of ten students of that racial/ethnic group in the specific disability category and an additional minimum “n” size or cell size requirement of 50 students total in the district of that racial/ethnic group.</p>	
<p>11. Percent of children who were evaluated within 60 days of receiving parental consent for initial evaluation or, if the State establishes a timeframe within which the evaluation must be conducted, within that timeframe.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State revised its improvement activities for FFY 2010 for this indicator, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 99%. These data remain unchanged from the FFY 2008 data of 99%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 18 of its findings of noncompliance identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State’s efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State’s data demonstrating that it is in compliance with the timely initial evaluation requirements in 34 CFR §300.301(c)(1). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has completed the evaluation, although late, for any child whose</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>initial evaluation was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>12. 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.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 99.6%. These data represent progress from the FFY 2008 data of 98.7%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that all 14 of its findings identified in FFY 2008 for this indicator were corrected in a timely manner.</p>	<p>OSEP appreciates the State's efforts and looks forward to reviewing in the FFY 2010 APR, due February 1, 2012, the State's data demonstrating that it is in compliance with the early childhood transition requirements in 34 CFR §300.124(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the FFY 2009 data the State reported for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the data the State reported for this indicator: (1) is correctly implementing 34 CFR</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>§300.124(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has developed and implemented the IEP, although late, for any child for whom implementation of the IEP was not timely, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>13. Percent of youth with IEPs aged 16 and above with an IEP that includes appropriate measurable postsecondary goals that are annually updated and based upon an age appropriate transition assessment, transition services, including courses of study, that will reasonably enable the student to meet those postsecondary goals, and annual IEP goals related to the student’s transition services needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator.</p> <p>The State’s FFY 2009 reported baseline data for this indicator are 92.95%.</p>	<p>The State must demonstrate, in the FFY 2010 APR, due February 1, 2012, that the State is in compliance with the secondary transition requirements in 34 CFR §§300.320(b) and 300.321(b). Because the State reported less than 100% compliance for FFY 2009, the State must report on the status of correction of noncompliance reflected in the data the State reported for this indicator.</p> <p>When reporting on the correction</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>		<p>of noncompliance, the State must report, in its FFY 2010 APR, that it has verified that each LEA with noncompliance reflected in the FFY 2009 data the State reported for this indicator: (1) is correctly implementing 34 CFR §§300.320(b) and 300.321(b) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State does not report 100% compliance in the FFY 2010 APR, the State must review its improvement activities and revise them, if necessary.</p>
<p>14. Percent of youth who are no longer in secondary school, had IEPs in effect at the time they left school, and were:</p> <p>A. Enrolled in higher education within one year of leaving high school;</p> <p>B. Enrolled in higher education or</p>	<p>The State provided FFY 2009 baseline data, targets for FFY 2010, FFY 2011, and FFY 2012, and improvement activities through FFY 2012 for this indicator, and OSEP accepts the State’s submission for this indicator. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011 and FFY 2012</p> <p>The State’s reported FFY 2009 baseline data for this indicator are:</p> <p>A. 23.9% enrolled in higher education within one year of leaving high school;</p> <p>B. 51.7% enrolled in higher education or competitively employed within one year of</p>	<p>The State must report actual target data for FFY 2010 with the FFY 2010 APR, due February 1, 2012.</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>competitively employed within one year of leaving high school. C. Enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p> <p>[Results Indicator]</p>	<p>leaving high school; and C. 60.9% enrolled in higher education or in some other postsecondary education or training program; or competitively employed or in some other employment within one year of leaving high school.</p>	
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State's FFY 2009 reported data for this indicator are 94%. These data represent slippage from the FFY 2008 data of 95.15%. The State did not meet its FFY 2009 target of 100%.</p> <p>The State reported that 66 of 70 findings of noncompliance identified in FFY 2008 were corrected in a timely manner and that the four remaining findings subsequently were corrected by February 1, 2011.</p> <p>OSEP's FFY 2008 SPP/APR response table, dated June 3, 2010, required the State to demonstrate in the FFY 2009 APR, due February 1, 2011 that the remaining 11 findings of noncompliance identified in FFY 2007 that were not reported as corrected in the FFY 2008 APR were corrected. In the FFY 2009 APR, the State clarified that on page 70 of the FFY 2008 APR, the State had reported that the remaining 11 findings of noncompliance identified in FFY 2007 subsequently were corrected by February 1, 2010.</p>	<p>The State must review its improvement activities and revise them, if appropriate, to ensure they will enable the State to provide data in the FFY 2010 APR, due February 1, 2012, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2009 in accordance with 20 U.S.C. 1232d(b)(3)(E), 34 CFR §§300.149 and 300.600(e), and OSEP Memo 09-02.</p> <p>In reporting on correction of findings of noncompliance in the FFY 2010 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2009: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system;</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memo 09-02. In the FFY 2010 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>In addition, in reporting on Indicator 15 in the FFY 2010 APR, the State must use the Indicator 15 Worksheet.</p> <p>In addition, in responding to Indicators 4B, 11, 12, and 13 in the FFY 2010 APR, the State must report on correction of the noncompliance described in this table under those indicators.</p>
<p>16. 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, or because the parent (or individual or organization) and the public agency agree to extend the time to engage in mediation or other alternative means of dispute resolution, if available in the State.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and OSEP accepts those revisions. The State did not provide improvement activities through FFY 2012.</p> <p>The State's FFY 2009 reported data for this indicator are 100%. These data remain unchanged from the FFY 2008 data of 100%. The State met its FFY 2009 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and OSEP accepts those</p>	<p>OSEP appreciates the State's efforts in achieving compliance</p>

Kentucky Part B FFY 2009 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>adjudicated within the 45-day timeline or a timeline that is properly extended by the hearing officer at the request of either party or in the case of an expedited hearing, within the required timelines.</p> <p>[Compliance Indicator]</p>	<p>revisions. The State did not provide improvement activities through FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 100%. These data are based on one due process hearing. The State met its FFY 2009 target of 100%.</p>	<p>with the due process hearing timeline requirements in 34 CFR §300.515.</p>
<p>18. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 29%. The State did not meet its FFY 2009 target of 78%.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2010 APR, due February 1, 2012.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the targets for FFY 2010, FFY 2011 and FFY 2012.</p> <p>The State’s FFY 2009 reported data for this indicator are 82%. These data represent progress from the FFY 2008 data of 68%. The State met its FFY 2009 target of 81%.</p>	<p>OSEP looks forward to reviewing the State’s data in the FFY 2010 APR, due February 1, 2012.</p>
<p>20. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The State provided targets for FFY 2011 and FFY 2012, and improvement activities through FFY 2012, and OSEP accepts those revisions.</p> <p>The State’s FFY 2009 reported data for this indicator are 98.89%. However, OSEP’s calculation of the data for this indicator is 100%. These data remain unchanged from the FFY 2008 data of 100%. OSEP has attached a copy of the Indicator B20 Data Rubric.</p>	<p>OSEP appreciates the State’s efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA sections 616 and 618 and 34 CFR §§76.720 and 300.601(b). In reporting on Indicator 20 in the FFY 2010 APR, due February 1, 2012, the State must use the Indicator 20 Data Rubric.</p>