

**Kentucky Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p><b>Status of Public Reporting on LEA Performance:</b></p> <p>While the State has publicly reported on the FFY 2009 (July 1, 2009-June 30, 2010) performance of each local educational agency (LEA) located in the State on the targets in the State’s performance plan as required by section 616(b)(2)(C)(ii)(I) of IDEA, those reports do not contain the required information. Specifically, the State did not report on performance of each LEA located in the State on the targets in the State’s performance plan for Indicators 3A, 3B, 3C. The State provided a plan for providing the required information. The State must include in its FFY 2011 APR, due February 1, 2013, confirmation that it has completed public reporting for these indicators.</p>		
<p>1. Percent of youth with IEPs graduating from high school with a regular diploma. [Results Indicator]</p>	<p>The State revised the improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State’s FFY 2010 reported data for this indicator are 74.19%. These data represent progress from the FFY 2009 data of 72.79%. The State did not meet its FFY 2010 target of 85.1%.</p> <p>The State reported that its Consolidated State Performance Report (CSPR) did not include graduation rate data for students with disabilities. Therefore, the State was unable to report graduation rates using the CSPR data for the FFY 2010 submission. The State provided a detailed progress report in its APR on the status of implementing a data collection system that will allow the State to calculate the graduation rate in accordance with 34 CFR §200.19.</p>	<p>OSEP looks forward to the State’s data demonstrating improvement in performance in the FFY 2011 APR, due February 1, 2013.</p> <p>In reporting data for this indicator in the FFY 2011 APR, States must use the same data they used for reporting to the Department under Title I of the Elementary and Secondary Education Act (ESEA), using the adjusted cohort graduation rate required under the ESEA.</p>
<p>2. Percent of youth with IEPs dropping out of high school. [Results Indicator]</p>	<p>The State revised the targets for FFY 2012, and revised improvement activities for FFY 2010, 2011 and 2012. OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are more rigorous than the previously-established targets. The State’s FFY 2010 reported data for this indicator are 2.59%. These data represent progress from the FFY 2009 data of 3.10%. The State met its FFY 2010 target of 2.7%.</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</p>	<p>The State’s FFY 2010 reported data for this indicator are 57.47%. These data represent slippage from the FFY 2009 data of 63.79%. The State met its FFY 2010 target of 54%.</p>	<p>OSEP appreciates the State’s efforts to improve performance.</p>

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>State's minimum "n" size that meet the State's AYP targets for the disability subgroup.</p> <p>[Results Indicator]</p>		
<p>3. Participation and performance of children with IEPs on statewide assessments:</p> <p>B. Participation rate for children with IEPs.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator are 100% for reading and 100% for math. These data remain unchanged from the FFY 2009 data of 100% for reading and 100% for math. The State met its FFY 2010 targets of 100%.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p>OSEP's FFY 2009 SPP/APR Response Table, dated June 20, 2011, required the State, within 90 days of the receipt of the response table, to 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). The State provided all of the required information.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p>
<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's FFY 2010 reported data for this indicator are 45.50% for reading and 42.25% for math. These data represent slippage from the FFY 2009 data of 47.15% for reading and represent progress from the FFY 2009 data of 41.97% for math. The State met its FFY 2010 target of 40.22% for reading and did not meet its FFY 2010 target of 48% for math.</p> <p>The State provided a Web link to 2010 publicly-reported assessment results.</p> <p>OSEP's FFY 2009 SPP/APR Response Table required the State, within 90 days of the receipt of the response table, to 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). The State provided all of the required information.</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 2011 APR.</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>The State revised the targets for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions. The State indicated that stakeholders were provided an opportunity to comment on the revised targets. The revised targets are more rigorous than the previously-established targets.</p> <p>The State's FFY 2010 reported data for this indicator are 0.56%. OSEP was unable to determine whether there was progress or slippage because the State changed its calculation methodology. The State met its FFY 2010 target of 4.55%.</p>	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report, in its FFY 2011 APR, on the correction of noncompliance that the State identified in FFY 2010 as a result of the review it conducted</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
[Results Indicator]	<p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that one district was identified as having a significant discrepancy in the rate of suspensions and expulsions of greater than ten days in a school year for children with IEPs.</p> <p>The State reported that all 176 districts met the State-established minimum “n” size requirement of ten or more students with disabilities enrolled in the district. The State also reported that 13 of 14 districts, which had discrepancies that were three times or more than the state rate, did not meet the additional State-established minimum “n” size of suspending/expelling ten or more students with disabilities for greater than ten days.</p> <p>The State reported that it reviewed the one district’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 district identified with a significant discrepancy in FFY 2010. The State identified noncompliance through this review.</p> <p>The State reported that it revised (or required the affected district to revise), the one district’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 district identified with a significant discrepancy in FFY 2010.</p>	<p>pursuant to 34 CFR §300.170(b). When reporting on the correction of this noncompliance, the State must report that it has verified that the LEA with noncompliance identified by the State: (1) is correctly implementing the specific regulatory requirements (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the LEA, consistent with OSEP Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p>
<p>4. Rates of suspension and expulsion:</p> <p>B. Percent of districts that have: (a) a significant discrepancy, by race or ethnicity, in the rate of suspensions and expulsions of greater than 10 days in a school year for children with IEPs; and (b) policies, procedures or practices that contribute to the significant discrepancy and do not comply with</p>	<p>The State’s FFY 2010 reported data for this indicator are 0.56%. OSEP was unable to determine whether there was progress or slippage because the State changed its calculation methodology. The State did not meet its FFY 2010 target of 0%.</p> <p>The State reported its definition of “significant discrepancy.”</p> <p>The State reported that one district was 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. The State reported that it reviewed the district’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</p>	<p>OSEP appreciates the State’s efforts regarding this indicator and looks forward to data in the FFY 2011 APR demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance</p>

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<p>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 district identified with a significant discrepancy in FFY 2010. The State also reported that the district was identified as having 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>The State reported that all 176 districts met the State-established minimum “n” size requirement of ten or more students with disabilities in at least one race/ethnicity category. The State also reported that of the 12 districts that had a discrepancy for the “white” category, the seven districts that had a discrepancy for the “black” category, the two districts that had a discrepancy for the “Hispanic” category, and the one district that had a discrepancy for the “Native American” category, only one district met the additional State-established minimum “n” size of suspending/expelling ten or more students with disabilities in a specific race/ethnicity category for greater than ten days.</p> <p>The State reported that it revised (or required the affected districts to revise), the district’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 district identified with a significant discrepancy in FFY 2010.</p> <p>The State reported that it did not make a finding of noncompliance, which it identified through the review of policies, procedures, and practices, pursuant to 34 CFR §300.170(b) of the district identified with a significant discrepancy based on 2008-2009 data, until December 2010. The State reported that it would report on correction of this noncompliance in the FFY 2011 APR.</p>	<p>identified in FFY 2010 as a result of the review it conducted pursuant to 34 CFR §300.170(b) for the district identified with a significant discrepancy based on 2009-2010 data. The State must also report on the status of correction of noncompliance identified in FFY 2010 as a result of the review it conducted pursuant to 34 CFR §300.170(b) for the district identified with a significant discrepancy based on 2008-2009 data.</p> <p>The State must demonstrate, in the FFY 2011 APR, that the districts identified with noncompliance in FFY 2010 have corrected the noncompliance, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory requirement(s) (i.e., achieved 100% compliance) based on a review of updated data such as data subsequently collected through on-site monitoring or a State data system; and (2) has corrected each individual case of noncompliance, unless the child is no longer within the jurisdiction of the district, consistent with OSEP Memo 09-02. In the FFY 2011 APR, the State must describe the</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
		<p>specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's reported data for this indicator are:</p> <table border="1" data-bbox="552 662 1583 1138"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 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">70.80</td> <td align="center">71.37</td> <td align="center">65</td> <td align="center">0.57%</td> </tr> <tr> <td>B. % Inside the regular class less than 40% of the day</td> <td align="center">9.52</td> <td align="center">9.16</td> <td align="center">11</td> <td align="center">0.36%</td> </tr> <tr> <td>C. % In separate schools, residential facilities, or homebound/hospital placements</td> <td align="center">1.85</td> <td align="center">1.93</td> <td align="center">2</td> <td align="center">-0.08%</td> </tr> </tbody> </table> <p>These data represent progress for 5A and 5B from the FFY 2009 data. The State met all of its FFY 2010 targets for this indicator.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Inside the regular class 80% or more of the day	70.80	71.37	65	0.57%	B. % Inside the regular class less than 40% of the day	9.52	9.16	11	0.36%	C. % In separate schools, residential facilities, or homebound/hospital placements	1.85	1.93	2	-0.08%	<p>OSEP appreciates the State's efforts to improve performance.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Inside the regular class 80% or more of the day	70.80	71.37	65	0.57%																		
B. % Inside the regular class less than 40% of the day	9.52	9.16	11	0.36%																		
C. % In separate schools, residential facilities, or homebound/hospital placements	1.85	1.93	2	-0.08%																		
<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;</p>	<p>The State is not required to report on this indicator in the FFY 2010 APR.</p>	<p>The State must provide FFY 2011 baseline data, an FFY 2012 target, and improvement activities through FFY 2012 in the SPP that it submits with the FFY 2011 APR.</p>																				

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<p>and</p> <p>B. Separate special education class, separate school or residential facility.</p> <p>[Results Indicator; New]</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's reported data for this indicator are:</p> <table border="1" data-bbox="550 545 1585 1477"> <thead> <tr> <th data-bbox="550 545 959 646"><u>Summary Statement 1</u></th> <th data-bbox="959 545 1169 646"><u>FFY 2009 Data</u></th> <th data-bbox="1169 545 1379 646"><u>FFY 2010 Data</u></th> <th data-bbox="1379 545 1585 646"><u>FFY 2010 Target</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="550 646 959 829"> <p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p> </td> <td align="center" data-bbox="959 646 1169 829">85</td> <td align="center" data-bbox="1169 646 1379 829">84</td> <td align="center" data-bbox="1379 646 1585 829">72</td> </tr> <tr> <td data-bbox="550 829 959 1045"> <p><b>Outcome B:</b></p> <p>Acquisition and use of knowledge and skills (including early language/ communication) (%)</p> </td> <td align="center" data-bbox="959 829 1169 1045">90</td> <td align="center" data-bbox="1169 829 1379 1045">87</td> <td align="center" data-bbox="1379 829 1585 1045">64</td> </tr> <tr> <td data-bbox="550 1045 959 1196"> <p><b>Outcome C:</b></p> <p>Use of appropriate behaviors to meet their needs (%)</p> </td> <td align="center" data-bbox="959 1045 1169 1196">89</td> <td align="center" data-bbox="1169 1045 1379 1196">86</td> <td align="center" data-bbox="1379 1045 1585 1196">70</td> </tr> <tr> <th data-bbox="550 1196 959 1297"><u>Summary Statement 2</u></th> <th data-bbox="959 1196 1169 1297"><u>FFY 2009 Data</u></th> <th data-bbox="1169 1196 1379 1297"><u>FFY 2010 Data</u></th> <th data-bbox="1379 1196 1585 1297"><u>FFY 2010 Target</u></th> </tr> <tr> <td data-bbox="550 1297 959 1477"> <p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p> </td> <td align="center" data-bbox="959 1297 1169 1477">58</td> <td align="center" data-bbox="1169 1297 1379 1477">68</td> <td align="center" data-bbox="1379 1297 1585 1477">50</td> </tr> </tbody> </table>	<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p>	85	84	72	<p><b>Outcome B:</b></p> <p>Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	90	87	64	<p><b>Outcome C:</b></p> <p>Use of appropriate behaviors to meet their needs (%)</p>	89	86	70	<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p>	58	68	50	<p>OSEP appreciates the State's efforts to improve performance.</p> <p>The State must report progress data and actual target data for FFY 2011 with the FFY 2011 APR.</p>
<u>Summary Statement 1</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																							
<p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p>	85	84	72																							
<p><b>Outcome B:</b></p> <p>Acquisition and use of knowledge and skills (including early language/ communication) (%)</p>	90	87	64																							
<p><b>Outcome C:</b></p> <p>Use of appropriate behaviors to meet their needs (%)</p>	89	86	70																							
<u>Summary Statement 2</u>	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>																							
<p><b>Outcome A:</b></p> <p>Positive social-emotional skills (including social relationships) (%)</p>	58	68	50																							

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	<b>Outcome B:</b> Acquisition and use of knowledge and skills (including early language/ communication) (%)	63	72	48	
	<b>Outcome C:</b> Use of appropriate behaviors to meet their needs (%)	62	70	50	
	These data represent progress and slippage from the FFY 2009 data. The State met its FFY 2010 targets for this 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.  [Results Indicator]	The State's FFY 2010 reported data for this indicator are 27.3%. These data represent slippage from the FFY 2009 data of 34%. The State did not meet its FFY 2010 target of 30.5%.  In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population.				OSEP looks forward to the State's data demonstrating improvement in performance in the FFY 2011 APR.
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.  [Compliance Indicator]	The State's FFY 2010 reported data for this indicator are 0%. These data remain unchanged from the FFY 2009 data of 0%. The State met its FFY 2010 target of 0%.  The State reported that ten districts were identified with disproportionate representation of racial and ethnic groups in special education and related services. The State also reported that no districts were identified with disproportionate representation of racial and ethnic groups in special education and related services that was the result of inappropriate identification.  The State provided its definition of "disproportionate representation."  The State reported all 176 districts met the State-established minimum "n" size requirement of ten students with disabilities in at least one race/ethnicity category.				OSEP appreciates the State's efforts regarding this indicator.
10. Percent of districts with	The State's FFY 2010 reported data for this indicator are 3.41%. These data represent				OSEP appreciates the State's

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<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>disproportionate representation of racial and ethnic groups in specific disability categories that is the result of inappropriate identification.</p> <p>[Compliance Indicator]</p>	<p>slippage from the FFY 2009 data of 0%. The State did not meet its FFY 2010 target of 0%.</p> <p>The State reported that 29 districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories. The State also reported that six districts were identified with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification.</p> <p>The State provided its definition of “disproportionate representation.”</p> <p>The State reported all 176 districts met the State-established minimum “n” size requirement of ten students with disabilities in at least one race/ethnicity category and each of the disability categories.</p> <p>The State reported that six of eight findings of noncompliance identified in FFY 2009 were corrected in a timely manner and that the remaining findings subsequently were corrected by February 1, 2012.</p>	<p>efforts and looks forward to reviewing data in the FFY 2011 APR, demonstrating compliance.</p> <p>Because the State reported less than 100% compliance for FFY 2010 (greater than 0% actual target data for this indicator), the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator. The State must demonstrate, in the FFY 2011 APR, that the districts identified in FFY 2010 with disproportionate representation of racial and ethnic groups in specific disability categories that was the result of inappropriate identification are in compliance with the requirements in 34 CFR §§300.111, 300.201, and 300.301 through 300.311, including that the State verified that each district with noncompliance: (1) is correctly implementing the specific regulatory 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</p>

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		<p>Memo 09-02. In the FFY 2011 APR, the State must describe the specific actions that were taken to verify the correction.</p> <p>If the State is unable to demonstrate compliance with those requirements in the FFY 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2010 reported data for this indicator are 99%. These data remain unchanged from the FFY 2009 data of 99%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 13 of its findings of noncompliance identified in FFY 2009 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 2011 APR, 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §300.301(c)(1) (i.e., achieved 100% compliance) based on a</p>

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		<p>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 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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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's FFY 2010 reported data for this indicator are 99.65%. These data represent progress from the FFY 2009 data of 99.6%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all seven of its findings of noncompliance identified in FFY 2009 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 2011 APR, 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 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p>

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		<p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 for this indicator: (1) is correctly implementing 34 CFR §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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</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</p>	<p>The State's FFY 2010 reported data for this indicator are 94.61%. These data represent progress from the FFY 2009 data of 92.95%. The State did not meet its FFY 2010 target of 100%.</p> <p>The State reported that all 22 of its findings of noncompliance identified in FFY 2009 for this indicator were corrected in a timely manner.</p>	<p>The State must demonstrate, in the FFY 2011 APR, that the State is in compliance with the secondary transition requirements in 34 CFR §300.320(b) and 300.321(b). Because the State</p>

**Kentucky Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>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 service’s needs. There also must be evidence that the student was invited to the IEP Team meeting where transition services are to be discussed and evidence that, if appropriate, a representative of any participating agency was invited to the IEP Team meeting with the prior consent of the parent or student who has reached the age of majority.</p> <p>[Compliance Indicator]</p>		<p>reported less than 100% compliance for FFY 2010, the State must report on the status of correction of noncompliance identified in FFY 2010 for this indicator.</p> <p>When reporting on the correction of noncompliance, the State must report, in its FFY 2011 APR, that it has verified that each LEA with noncompliance identified in FFY 2010 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 2011 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 2011 APR, the State must review its improvement activities and revise them, if necessary to ensure compliance.</p>

**Kentucky Part B FFY 2010 SPP/APR Response Table**

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps																				
<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 competitively employed within one year of leaving high school.</p> <p>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>The State revised the, improvement activities for FFY 2010, FFY 2011, and FFY 2012 for this indicator and OSEP accepts those revisions.</p> <p>The State's reported data for this indicator are:</p> <table border="1" data-bbox="548 412 1583 1049"> <thead> <tr> <th></th> <th><u>FFY 2009 Data</u></th> <th><u>FFY 2010 Data</u></th> <th><u>FFY 2010 Target</u></th> <th><u>Progress</u></th> </tr> </thead> <tbody> <tr> <td>A. % Enrolled in higher education</td> <td align="center">23.9</td> <td align="center">23.2</td> <td align="center">24.5</td> <td align="center">-0.70%</td> </tr> <tr> <td>B. % Enrolled in higher education or competitively employed</td> <td align="center">51.7</td> <td align="center">52.1</td> <td align="center">52.7</td> <td align="center">0.40%</td> </tr> <tr> <td>C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed</td> <td align="center">60.9</td> <td align="center">64.9</td> <td align="center">62.4</td> <td align="center">4.00%</td> </tr> </tbody> </table> <p>These data represent progress for 14B and 14C from the FFY 2009 data. The State met its FFY 2010 target for 14C, but did not meet its FFY 2010 targets for 14A and 14B.</p> <p>In its description of its FFY 2010 data, the State addressed whether the response group was representative of the population. The State reported that the data for this indicator were collected from a response group that was not representative of the population.</p>		<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>	A. % Enrolled in higher education	23.9	23.2	24.5	-0.70%	B. % Enrolled in higher education or competitively employed	51.7	52.1	52.7	0.40%	C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	60.9	64.9	62.4	4.00%	<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 2011 APR.</p> <p>The State reported that the response group was not representative of the population. In the FFY 2011 APR, the State must report whether its FFY 2011 data are from a group representative of the population, and if not, the actions the State is taking to address this issue.</p>
	<u>FFY 2009 Data</u>	<u>FFY 2010 Data</u>	<u>FFY 2010 Target</u>	<u>Progress</u>																		
A. % Enrolled in higher education	23.9	23.2	24.5	-0.70%																		
B. % Enrolled in higher education or competitively employed	51.7	52.1	52.7	0.40%																		
C. % Enrolled in higher education or in some other postsecondary education or training program; or competitively employed	60.9	64.9	62.4	4.00%																		
<p>15. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than</p>	<p>The State's FFY 2010 reported data for this indicator are 91%. These data represent slippage from the FFY 2009 data of 94%. The State did meet its FFY 2010 target of 100%.</p> <p>The State reported that 162 of 178 findings of noncompliance identified in FFY 2009 were corrected in a timely manner and that 14 findings were subsequently corrected by</p>	<p>The State must demonstrate , in the FFY 2011 APR, that the remaining two findings of noncompliance identified in FFY 2009 that were not reported as corrected in the FFY 2010 APR</p>																				

**Kentucky Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
<p>one year from identification. [Compliance Indicator]</p>	<p>February 1, 2012. The State reported on the actions it took to address the uncorrected noncompliance.</p>	<p>were corrected.</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 2011 APR, demonstrating that the State timely corrected noncompliance identified by the State in FFY 2010 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>When reporting on correction of findings of noncompliance in the FFY 2011 APR, the State must report that it verified that each LEA with noncompliance identified in FFY 2010 and 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; 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 2011 APR, the State must describe the</p>

**Kentucky Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
		<p>specific actions that were taken to verify the correction. In addition, in reporting on Indicator 15 in the FFY 2011 APR, the State must use the Indicator 15 Worksheet.</p> <p>Further, in responding to Indicators 4A, 4B, 10, 11, 12 and 13 in the FFY 2011 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's FFY 2010 data for this indicator, as of January 31, 2012 are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP appreciates the State's effort in achieving compliance with the timely compliant resolution requirement in 34 CFR §300.152.</p>
<p>17. Percent of adjudicated due process hearing requests that were 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>The State reported, as of January 31, 2012, that it did not have any fully adjudicated due process hearings during the reporting period.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's FFY 2011 IDEA section 618 data.</p>

**Kentucky Part B FFY 2010 SPP/APR Response Table**

<b>Monitoring Priorities and Indicators</b>	<b>Status of APR Data/SPP Revision Issues</b>	<b>OSEP Analysis/Next Steps</b>
[Compliance Indicator]		
<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's FFY 2010 reported data for this indicator, as of January 31, 2012, are 55%. These data represent progress from the FFY 2009 data of 29%. The State did not meet its FFY 2010 target of 80%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</p>
<p>19. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The State's FFY 2010 reported data for this indicator, as of January 31, 2012, are 78%. These data represent slippage from the FFY 2009 data of 82%. The State did not meet its FFY 2010 target of 85%.</p> <p>Note that States are allowed to amend their FFY 2010 IDEA section 618 Dispute Resolution data until July 2012.</p>	<p>OSEP looks forward to reviewing the State's data in the FFY 2011 APR.</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's FFY 2010 reported data for this indicator are 100%. These data remain unchanged from the FFY 2009 data of 100%. The State met its FFY 2010 target of 100%.</p>	<p>OSEP appreciates the State's efforts in achieving compliance with the timely and accurate data reporting requirements in IDEA section 616 and 618 and in 34 CFR 300§76.720 and 300.601 (b). In reporting on Indicator 20 in the FFY 2011 APR, the State must use the Indicator 20 Data Rubric.</p>