

Compliance Record Review Document

School Year 2014-2015



Prepared by the
Division of Learning Services
Kentucky Special Education Cooperative Network

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Items in bold above are Annual Performance Report (APR) Compliance Indicators

Introduction

The Kentucky Department of Education, Division of Learning Services (DLS), in conjunction with the Special Education Cooperative Network, created this document to assist districts in completing a compliance review of students' due process records. A compliance review is required for data collection and reporting for the Annual Performance Report (APR). It is also used by district personnel for program evaluation purposes. **DLS encourages the adoption of a district-wide standardized organization/structure for student due process records.**

The document is designed to assist school district personnel in conducting an accurate record review. DLS's experiences during district desk audits and on-site visits are incorporated to make the document more useful both to districts and to DLS.

Key changes to this year's document are:

1. Clarifications have been made to some items.
2. Changes have been made to the content of some items.

Immediately prior to the recording of the compliance item are the following instructions:

- **Look For:** contains guidance on locating documentation. In some cases, the name of the form is included; however, information may be recorded in different ways according to district policy and procedures
- **Directions:** instruct the user to:
 - Mark "Yes" if there is evidence of documentation
 - Mark "No" if there is no evidence of documentation
- **Notes:** provide additional information for accurate completion of the item

DLS and the Special Education Co-ops have wide-ranging reasons for developing this document:

- To increase the accuracy of district reviews and to increase consistency across the state in completing the review
- To provide professional development to district staff on compliance monitoring
- To provide technical assistance to districts for assistance in making legally correct decisions, particularly in the areas of eligibility and Least Restrictive Environment (LRE)
- To reflect ever-changing forms, interpretations, and legal decisions

This document is for school year **2014-2015**. Updates and revisions are planned annually.

Directions for Review of Records

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.

Random review is one way for the district to ensure accuracy. If the district is chosen by DLS for a data verification visit, there is a far greater likelihood that DLS' 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 DLS discovers inaccuracies during a data verification visit, the district will be cited for a violation of the compliance item and a violation of the "timely and accurate" data requirement.

For assistance in obtaining true random numbers, visit <http://www.random.org/>. The web site contains a true random number generator, which is available to anyone visiting the site.

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 for **Item #49**, at least 10% of records of students age 16 and older are selected.

In instances where the regulation pertains to parents or, if applicable, students who are emancipated, references to parent also include the emancipated student.

For **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. This includes both those students determined to be eligible for specially designed instruction and those found not eligible for special education.

Correction of Noncompliance regarding APR Indicators 11, 12, and 13 (Items 49-50, 54, 58)

Violations of IDEA that can be corrected

During the record review process, districts may find items in student records that are violations of IDEA. Some of these violations may be corrected, depending on the nature of the violation.

If corrected prior to submission of the APR Indicator 11, 12 and 13 data to KDE, the record is considered in compliance. It is not reported in the district's data report as noncompliant.

In most cases, it will be necessary to convene an ARC to correct the violation. The documentation of the ARC must reflect authentic and appropriate processes and corrections.

Examples of violations that may be corrected include:

- Failure to document postsecondary goals in the IEP (#49a)
- Failure to document transition services in the IEP (#49b)
- Failure to invite outside agencies (with prior consent) to the ARC meeting to discuss transition (#49c)
- Failure to document the student's multi-year course of study (#49e)
- Failure to link annual goals to related postsecondary goals (#49f)
- Failure to document evidence of transition assessment (#49g)

Violations of IDEA that are reported as noncompliance

Some violations of IDEA identified during the district's record review cannot be corrected in individual student records due to the nature of the violation.

These must be reported as noncompliant in the district's data report. Examples include:

- inviting outside agencies to ARC meetings prior to obtaining parent consent (#49d).
- missing the timeline for updating postsecondary goals annually (#49i).
- not having transition requirements in the IEP by the student's 16th birthday (#50).
- missing the timeline for initial evaluation (#54).
- missing the timeline for annual review (#56).
- missing the timeline for an IEP being in place by third birthday for children transitioning from First Steps to preschool (#58).

Though these violations cannot be corrected, the district must remedy the noncompliance in the individual student's record. For example, failure to meet the timeline for an IEP in place by third birthday cannot be corrected; however, it can be remedied for that student by ensuring an IEP is in place, though out of timeline. Documentation of systemic correction is also required.

If the student is no longer under the district's jurisdiction, individual noncompliance cannot be corrected, but the district must demonstrate the noncompliance is not systemic in nature.

Demographic Information

- Enter the name of the record reviewer (required).
- Enter the student's full name.
- Enter the student's date of birth.
- Enter the student's grade level.
- Enter the student's race/ethnicity as it is entered in Infinite Campus (see student's IEP).
- Enter the student's disability category as of the date of the record review.
- Enter the student's school of attendance as of the date of the record review.
- Enter the student's school district as of the date of the record review.
- Enter the date of the record review.

Type of Review

- Check the box marked “Preschool child (exiting Part C)” if the child is three years old and has transitioned from First Steps during the reporting school year.
- Check the box marked “Child (age 3-15)” if the child age three (not transitioning from First Steps) through age fifteen.
- Check the box marked “Child (age 16 or older)” if the child is age 16 or older on the date of the record review.
- Check the box marked “Initial Referral/Eligibility” if the child was initially determined eligible during the reporting school year.
- Check the box marked “3-Year Reevaluation” if the child was determined eligible based on triennial reevaluation during the reporting school year.

Demographic Information (Required)

**Kentucky Compliance Record Review Form
(Including Reporting Requirements for Kentucky Continuous Monitoring Process)
School Year 2014-15**

Reviewer's Name (*required*) _____

Date _____ / _____ / _____

Child's Name _____

Child's DOB _____ / _____ / _____ Grade _____

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

Disability _____

School _____

District _____

Mark box below for the age-range of the student:

- ☐ Preschool child (exiting Part C)
☐ Child (age 3-15)
☐ Child (age 16 or older) ☐

Mark box below, if applicable:

- ☐ Initial Referral/Eligibility (2014-15)
☐ 3-Year Reevaluation (2014-15)

Review the most current information from the child's record to document compliance.

Confidentiality of Information 707 KAR 1:360 Section 2

Items 1-3

Look for: Record of Access form. This may be printed on the due process folder or inserted as a separate page in the folder.

Directions:

- Mark "YES" if numbers 1, 2, 3 are all complete.
- Mark "YES" if the form is not filled out, indicating that no one has accessed the record.

Note: District employees that are set out within the district's list of employees with legitimate educational interests under FERPA are not required to sign the Record of Access.

A Record of Access is in the record and includes method for documenting:	Yes	No
1. The name of the party seeking access;		
2. The date access was given; AND		
3. The purpose for which the party is authorized to use the record(s).		

Comments:

Notice of Admissions and Release Committee Meeting - 707 KAR 1:320 Section 4

Items 4 and 5

Look for: Notice of Admissions and Release Committee Meeting form; Infinite Campus Contact Log

Directions for Item 4:

- Mark "YES" if the date on the invitation to the ARC meeting is at least seven (7) calendar days prior to the date of the ARC meeting.
- Mark "NA" if documentation shows that the parent(s) requested or agreed to meet earlier.
- Mark "NA" if the meeting is for disciplinary change in placement or a safety issue.
- Mark "NO" if the meeting is held in less than 7 calendar days of the date on the notice and there is no documentation that the parent(s) agreed to meet earlier.

Directions for Item 5:

- Mark "YES" if there is documentation of multiple attempts to contact the parent(s) or emancipated student. This may include documentation of a phone call written on the Notice of Admissions and Release Committee Meeting; documentation on the Parent Contact Sheet; documentation of home visits; other correspondence with the parent. (A phone call alone does not constitute the required formal written invitation).
- Mark "NO" if the parent did not attend the meeting and there is no documentation of multiple attempts to arrange a mutually agreed on time and place.
- Mark "NA" if the parent(s) returned the copy of the Notice stating their intention for attendance.
- Mark "NA" if the parent(s) is in attendance.

Note: If the parent does not attend; did not return the Notice of Admissions and Release Committee Meeting with their intentions; and there is no documentation of a second attempt, the ARC must send another Notice of Admissions and Release Committee Meeting, giving the parent(s) seven (7) calendar days notice.

	Yes	No	NA
4. The LEA provides a written invitation to the parent(s) at least seven (7) calendar days before an ARC meeting. NOTE: This also applies to initial ARC meetings for preschoolers transitioning from First Steps.			
5. There is documentation of the district's attempts to arrange a mutually-agreed-on time and place.			

Comments:

Items 6-12

Look for: Notice of Admissions and Release Committee Meeting form

Directions:

- Mark "YES" if numbers 6-10 of the Notice of Admissions and Release Committee Meeting are completed.
- Mark "YES" if number 11 is on the form or has been completed by the parent(s).
- Mark "YES" if number 12 is documented on the form.
- Mark 6b "NA" if the student is not yet in 8th grade or age 14, whichever comes first, on the date of the ARC meeting.

Note: The regulations specify that, if the child is in 8th grade or age 14 or older, the invitation shall state that a purpose of the meeting will be the development of a statement for the need for transition services for the child and state that the child is invited.

	Yes	No	NA
6a. The purpose of the meeting;			
6b. For children who are in 8th grade or age 14 and older, the purpose of the meeting indicates the ARC discussion of postsecondary needs and/or services;			
7. The time of the meeting;			
8. The date of the meeting;			
9. The location of the meeting;			
10. The role of participants attending the meeting;			
11. An option for the parent(s) to note the need for alternative meeting times, dates, locations, and means of participation;			
12. A statement informing the parent(s) they may bring persons to assist them in the meeting;			

Comments:

Item 13

Look for: On Notice of Admissions and Release Committee form, the box “Other” is checked in the section, “Other people invited to the meeting include:”

Directions:

- Mark “YES” if the box is checked indicating the First Steps Primary Service Coordinator or other representative of the Part C system is invited to attend the first ARC Meeting.
- Mark “NA” if the child did not transition from First Steps.
- Mark “NA” if the parent did not request an invitation be sent to First Steps Coordinator or other representatives of the Part C system.

	Yes	No	NA
13. For children transitioning from First Steps , an invitation to the initial ARC meeting is sent to the First Steps Service Coordinator or other representatives of the Part C system if the parent requests.			

Comments:

Item 14

Look for: Notice of Admissions and Release Committee Meeting form

Directions:

- Mark “YES” if the child who is in eighth grade OR is age 14 (whichever comes first) and older, is invited to attend the meeting on the parent’s Notice of Admissions and Release Committee Meeting when the purpose of the meeting includes transition planning.
- Mark “NA” if the child is not yet in eighth grade or reached the age of 14 on the date of the ARC meeting.

Note: This requirement applies to a student who has reached the age of 14 and has not reached 8th grade.

	Yes	No	NA
14. For children who are in 8th grade or age 14 and older: the child is invited to the meeting.			

Comments:

ARC Membership 707 KAR 1:320 Section 3

Item 15

Look for: Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice form, Admissions and Release Committee Members.

Directions:

- Mark "YES" if the Notice of Admissions and Release Committee Meeting was addressed to the parent(s) or emancipated student , AND,
- The parent(s) or emancipated student signed the Conference Summary/Action Notice, OR
- The parent(s) or emancipated student participated through alternate means and was sent a copy of the IEP and Conference Summary/Action Notice.

Note: Attendees must sign the Conference Summary/Action Notice form. Typed names are not acceptable.

	Yes	No
15. Parent (in attendance) OR In cases where the parent did not attend, documentation shows that all of the following occurred: • parents received written notification of the meeting; _____ Yes _____ No • parents were offered alternative meeting time and location; _____ Yes _____ No • parents were given the opportunity for alternate means of participation (e.g., informal conference, phone conferencing, ARC conference call, e-mail, home visit, survey); and _____ Yes _____ No • parents were sent a copy of the IEP and ARC Conference Summary (as indicated on ARC Conference Summary by <u>method and date</u>). _____ Yes _____ No		

Comments:

Items 16-18

Look for: Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice

Directions:

- Mark "YES" if the member(s) under 16, 17, and 18 was listed on the Notice of Admissions and Release Committee Meeting, AND,
- Signed the Conference Summary/Action Notice, OR
- Was excused prior to the ARC meeting (see requirements for #22 and #23 below).

For regular education teacher:

- Mark “YES” for regular education teacher of the child who provides information about the general curriculum for same age peers; OR
- Mark “YES” for a regular education teacher who is knowledgeable of the grade level curriculum for the child if the child is not currently participating in regular education classes.

For special education teacher:

- Mark “YES” for a special education teacher of the child who currently has an IEP; OR
- Mark “YES” for a special education teacher knowledgeable of the child’s suspected disability, if the child is being referred for special education and has not been identified as a child with a disability under IDEA.

Notes:

- Dually certified personnel in grade K-12 may not serve in multiple roles. For example, a special education teacher who is also certified in regular education cannot serve as the special education teacher and the regular education teacher (see below for preschool requirements).
- ARCs of students who are in home/hospital placements must meet the same requirements under 707 KAR 1:320 Section 3 (this does not apply to students in private schools).

For preschool teacher:

- Mark “YES” for regular and special education teacher if the Notice of Admissions and Release Committee Meeting includes a preschool teacher who is Interdisciplinary Early Childhood Education (IECE) certified AND,
- The preschool teacher signs the Conference Summary/Action Notice and the ARC documents that the person served both roles by noting “IECE” after signature.

For students identified for Speech/Language services only:

- Mark “YES” for special education teacher if the Notice of Admissions and Release Committee Meeting includes an SLP AND,
- The SLP signs the Conference Summary/Action Notice.

	Yes	No
16. A regular education teacher of the child;		
17. A special education teacher of the child OR a special education teacher knowledgeable of the suspected disability;		
18. A representative of the school district, qualified to provide, or supervise the provision of specially designed instruction, knowledgeable of the curriculum and district resources;		

Comments:

Item 19

Look for: Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice

Directions:

- Mark “YES” if

- An individual who can interpret the instructional implications of evaluation results was included on the Notice of Admissions and Release Committee Meeting,
- The purpose of the meeting listed on the Notice of Admissions and Release Committee Meeting was to discuss the results of an individual evaluation/reevaluation;
- The individual(s) signed the Conference Summary/Action Notice; AND
- The Conference Summary/Action Notice documents who interpreted the results.
- Mark “NA” if review of evaluation/reevaluation results was not the purpose of the meeting.

Note: The individual may be a Speech/Language Pathologist, a Diagnostician, a Psychologist, or a teacher or administrator who can interpret test results.

	Yes	No	NA
19. An individual who can interpret the instructional implications of evaluation results who may be a member of the team described in 16-18;			

Comments:

Item 20

Look for: Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice

Directions:

- Mark “YES” if the member(s) were listed on the Notice of Admissions and Release Committee Meeting, AND,
- Signed the Conference Summary/Action Notice, OR
- Was excused prior to the ARC meeting (see requirements for #22 and #23 below).

	Yes	No	NA
20. Related services personnel, as appropriate;			

Comments:

Item 21

Look for: Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice

Directions:

- Mark “YES” if the child was included on the Notice of Admissions and Release Committee Meeting, AND,
- The child signed the Conference Summary/Action Notice,
- Mark “NA” if child is not yet in 8th grade or age 14 whichever comes first, on the date of the ARC meeting.

	Yes	No	NA
21. For children who are in 8th grade or age 14 and older, the child is involved in the ARC process relative to transition planning. OR In cases where the child did not attend, documentation shows that all of the following occurred: - the child was invited to the meeting; ☐ Yes ☐ No AND - other steps are taken to ensure that the child's preferences and interests are considered. ☐ Yes ☐ No			

Comments:

Item 22

Look for: A statement dated prior to the ARC meeting and signed by the parent(s) and district representative.

Directions:

- Mark "YES" if the statement was dated and signed prior to the ARC meeting.
- Mark "NA" if no ARC member that was invited to the meeting was excused from attending.

Notes:

- This may be a separate form.
- "OSEP expects excusal decisions to be made on an individualized, case-by-case basis, and would consider a public agency to be in noncompliance with the IDEA if it were to routinely or unilaterally excuse a required IEP Team member from attending an IEP Team meeting without obtaining parental consent or agreement, as required by the excusal provisions in [\[34 C.F.R.\] §300.321\(e\)](#). OSEP believes that it is critically important to the provision of FAPE that the public agency require individuals to attend IEP Team meetings who are in the best position to address the educational program for and the unique needs of, each child with a disability." (OSEP policy letter, April 25, 2011 to Center for Education Advocacy, Inc. Director Lilly Rangel-Diaz <http://www2.ed.gov/policy/speced/guid/idea/letters/2011-2/rangel-diaz042511iepteam2q2011.pdf>)

	Yes	No	NA
22. If a member of the ARC is excused from attending the ARC meeting in whole or in part, the parent and the district agree to the excusal in writing prior to the meeting.			

Comments:

Item 23

Look for: Document, written and dated prior to the meeting, with the required input from the excused member.

Directions:

- Mark “YES” if the document providing input is written and submitted to the parent(s) and to the district representative prior to the ARC meeting.
- Mark “NA” if no ARC member that was invited to the meeting was excused from attending and was required to submit a report.

	Yes	No	NA
23. If a member of the ARC is excused, the member must submit input into the development of the IEP in writing to the parent(s) and the ARC, if the member’s area of curriculum or related service is to be modified or discussed in the meeting. Input must be submitted prior to the meeting .			

Comments:

Notice to Parent(s) (Conference Summary/Action Notice) 707 KAR 1:340, Section 3

Note for items 24 – 28: If relevant discussion occurs in the ARC meeting that is not reflected on the Conference Summary/Action Notice form, the discussion must be documented in the Conference Summary minutes.

Item 24

Look for: Conference Summary/Action Notice

Directions:

- Mark “YES” if appropriate boxes are checked as a basis for the proposed or refused action (corresponds with Section I of Conference Summary/Action Notice); AND
- There is a **description** of assessment instruments and procedures attached (Copy of “Evaluations, Tests, Records, or Reports” description page).

Notes:

- Information used that is not included on the evaluation list should be listed as “Other.”
- If an evaluation or reevaluation was conducted, the relevant descriptions must be marked.
- For any annual review meeting, “Student Progress in Achieving IEP Goals,” must be a basis for the action.

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of:	Yes	No
24. A <u>description</u> of each evaluation procedure test, record, or report used as a basis for proposed or refused action; - boxes are checked for each evaluation procedure, test, record or report the district used as a basis for the proposed or refused action ☐ Yes ☐ No AND - a description of assessment instruments and procedures included. ☐ Yes ☐ No		

Comments:

Item 25

Note for Items 25, 26, and 27: These items correspond with Section III of the Conference Summary/Action Notice: A: Initial Evaluation; B: Reevaluation Plan, C: Eligibility/Continued Eligibility; E: IEP Developed/Reviewed/Revised; F: Placement Options and Decisions (depending on the action the ARC is taking in a particular meeting). At least one action (A, B, C, E, and F) and corresponding subcategories must be documented for any ARC meeting.

Look for: Conference Summary/Action Notice

Directions:

- Mark "YES" if the box of an appropriate Action is checked (appropriate to the purpose of the ARC meeting); AND
- Includes a **description** of the action the ARC is proposing or refusing to take.

Notes:

- For every annual review meeting, the ARC must document actions of IEP (E) and placement (F). (See also items #52, #53).
- Any additional discussion not documented by the checkboxes must be documented in the Conference Summary minutes.

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of	Yes	No
25. A <u>description</u> of the action proposed or refused;		

Comments:

--

Item 26

Look for: Conference Summary/Action Notice

Directions:

- Mark “YES” if documentation includes the reason for the action (state why the district is proposing or refusing to do something).
- At least one action (A, B, C, E, and F) and corresponding subcategories must be documented for any ARC meeting. (See ‘Note’ under Item 25.)

Notes:

- Documentation of the reason for the action applies to any action the ARC takes (A, B, C, E, F).
- Any additional discussion not documented by the checkboxes must be documented in the Conference Summary minutes.

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of	Yes	No
26. An <u>explanation</u> of why the LEA proposed/refuses to take action;		

Comments:

Item 27

Look for: Conference Summary/Action Notice

Directions:

- Mark “YES” if documentation includes a description of any other options considered and the reasons those options were rejected.
- At least one action (A, B, C, E, and F) and corresponding subcategories must be documented for any ARC meeting. (See ‘Note’ under Item 25.)

Note: Any additional discussion not documented by the checkboxes must be documented in the Conference Summary minutes.

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of	Yes	No
27. An <u>description</u> of any other options and reasons those options were rejected;		

Comments:

--

Item 28

Look for: Conference Summary/Action Notice

Directions:

- Mark “YES” if documentation includes the description of any other issues/concerns relevant to the proposed or refused action (corresponds with Section VI of the Conference Summary/Action Notice).

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of	Yes	No
28. An <u>description</u> of any other factors related to the LEA’s proposal or refusal;		

Comments:

Item 29

Look for: Conference Summary/Action Notice

Directions:

- Mark “YES” if the parent(s) signed the statement that the Parent Rights have been explained and a copy has been made available (corresponds with Section VII of the Conference Summary/Action Notice), OR
- Mark “YES” if the parent(s) is not in attendance at the ARC meeting and the box is checked that the Parent Rights were included with the written notice.
-

The Notice to Parent(s) (Conference Summary/ Notice of Action) includes documentation of	Yes	No
29. A statement that the parents have protection under the procedural safeguards (i.e., Parent Rights) and if this is not an initial referral for evaluation, the means by which a copy of the Parent Rights can be obtained.		

Comments:

Preschoolers Transitioning from Part C - 34 CFR 300.124 and 300.323

Item 30

Look for: IFSP signature page or other LEA documentation.

Directions:

- Mark "YES" if the IFSP or LEA documentation shows an LEA representative participated in the transition conference arranged by First Steps.

Note: This is the First Steps transition meeting that must occur at least 3 months prior to the child's third birthday. (This is not an LEA meeting; it usually takes place in the child's home.)

	Yes	No	NA
30. For preschoolers transitioning from First Steps, an LEA representative participates in transition conferences arranged by First Steps (e.g., copy of Individual Family Service Plan [IFSP] or Conference Summary with LEA representative signature).			

Comments:

Item 31

Look for: Conference Summary/Action Notice.

Directions:

- Mark "YES" if documentation includes either a copy of the IFSP, or documentation on the Conference Summary that the IFSP was considered and discussed.

	Yes	No	NA
31. For preschoolers transitioning from Part C, the IFSP was considered in developing the IEP.			

Contents of the IEP 34 CFR § 300.320(a)(3)(ii) and 707 KAR 1:320, Section 5 Item 32

Look for: Individual Education Program. (Item 34)

Directions:

- Mark “YES” if the review date states the IEP review will take place within 365 days of the ARC meeting date, unless a shorter time is specified by the ARC.

Example: Date of ARC 10-8-07; Review Date: 10-7-08 OR 10-8-08.

Note: Infinite Campus IEP uses the term “End Date” instead of Review Date.

The ARC considered the following in developing the IEP:	Yes	No
32. Review date: date by which the IEP will be reviewed by the ARC, within 365 days of the last IEP review date.		

Comments:

Item 33

Look for: IEP, Present Levels of Academic Achievement and Functional Performance. (Item 33)

Directions: The ARC considered the following in developing the IEP: Communication Status; Academic Performance; Health, Vision, Hearing, Motor Abilities; Social and Emotional Status; General Intelligence; and Functional Vision/Learning Media Assessment:

- Mark “YES” if the ARC checks the “Commensurate with similar age peers” box; no additional statements are required.
- Mark “YES” if, for each Education Performance Areas Assessed with an unchecked “Commensurate with similar age peers” box, the description includes a summary statement of the child’s relative strengths, needs or concerns; AND baseline performance for each need or concern.
- (For 33h) Mark “YES” if, for the Education Performance Areas assessed with an unchecked “commensurate with similar age peers” box, the Present Levels include an adverse effect statement that describes in each Present Level area OR as one statement that incorporates all Present Level areas impacted by the disability.
- For Present Level area of Functional Vision/Learning Media Assessment, mark “YES” if the ARC checks “Not an area of concern at this time”; no additional statement is required.

Notes:

- If there are needs or concerns in the area of general intelligence, examples of types of baseline data are memory, problem solving, generalization, or other executive functioning skills.
- If there are needs or concerns in the area of Health, Vision, Hearing, Motor Abilities, examples of types of baseline data can be found in the [Guidance Document for IEP Development](#), Present Level Areas Guiding Questions.
- For definition of and examples of baseline data in the area of Functional Vision/Learning Media Assessment, see [Guidance Document for IEP Development](#).

Directions for Transition Needs:

- Mark “YES” under Transition Needs if, for the student who is in the 8th grade or beyond or has reached age 14 (whichever occurs first), there is a description in each applicable area (as

appropriate to the student): instruction; related services; community experiences; employment, daily living skills; post school adult living objectives; and functional vocational evaluation.

- Mark “NA” if the child is not yet in the 8th grade or beyond, or has not reached age 14 and older, whichever occurs first, on the date of the ARC meeting.

Note: The transition service areas help the ARC determine the transition service needs for the IEP when the child turns 16.

33. The ARC considered the following in developing the IEP:	Yes	No	
The child's present levels of academic achievement and functional performance, including how the disability affects involvement and progress in the general curriculum (or for preschool, participation in appropriate activities). The Present Levels includes a summary of information and data:			
33a. Communication Status;			
33b. Academic Performance;			
33c. Health/Vision/Hearing/Motor Abilities;			
33d. Social and Emotional Status;			
33e. General Intelligence			
33f. Transition Needs (for children in 8 th grade or age 14 and older). NOTE: There must be a minimum of one area (instruction; related service; community experience; development of employment and other post school adult living objectives; and if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation) addressed;	Yes	No	NA
33g. Functional Vision/Learning Media/Assessment;			
33h. A summary statement, included in the Present Levels, of how the child's disability affects the child's involvement and progress in the general curriculum			

Comments:

Item 34

Look for: IEP, Considerations of Special Factors for IEP Development.

Directions:

- Mark “YES” if, for each special factor, the ARC has checked ‘yes’ and included the child’s performance information within the Present Levels statement to support the special factor.
- Mark “YES” if for each special factor, the ARC has checked ‘no’, and there is no information in the Present Levels statement related to the special factor.

- Mark “NO” if the ARC has checked ‘no’ to the special factor but information in the Present Levels indicates that a special factor exists.

Consideration of Special Factors are completed for the following areas and are consistent with the Present Levels:	Yes	No
34a. Behavior;		
34b. Limited English proficiency;		
34c. Blind or visually impaired;		
34d. Communication needs;		
34e. Deaf or hard of hearing;		
34f. Assistive technology needs.		

Comments:

Item 35

Look for: IEP, Measurable Annual Goals

Directions:

- Mark “YES” if annual goals relate directly to the present levels of academic achievement and functional performance and incorporate the general curriculum (i.e., Kentucky Core Academic Standards; Program of Studies) to enable the child to be involved and make progress in the general curriculum, OR meets the child’s other educational needs that result from the disability; AND,
- The annual goals are measurable and must include the (a) audience (student’s name), (b) behavior, (c) circumstances, (d) degree/criteria and (e) evaluation/method of measurement. (For definitions, see [Guidance Document for IEP Development](#), Annual Goals section).

Example:

Given a fourth grade informational text, Liz will read the passage and answer five literal and five inferential comprehension questions at 80% accuracy on three consecutive weekly reading assignments.

Notes:

- Federal regulations require benchmarks or short-term objectives for students with disabilities participating in the Alternate Assessment Program which is aligned to alternate achievement standards. 34 CFR Section 300.320(a)(2)(ii). District policies and procedures provide guidance regarding the selection of benchmarks or short-term objectives.
- The evaluation/method of measurement may be recorded in the annual goal statement or under Method of Measurement in the IEP.
- Benchmarks and objectives are often aligned with the Kentucky Core Academic Standards and the Program of Studies. Benchmarks/short term objectives may address educational needs that are not addressed in the general curriculum but focus on the child’s other needs that result from the disability.

- Benchmarks and short-term objectives are intermediate steps between the present levels and the annual goals.

	Yes	No
35. Statement of measurable annual goals		

Comments:

Item 36

Look for: IEP, Specially Designed Instruction.

Directions:

- Mark “YES” if specially designed instruction is documented according to the unique needs of the child.

Notes:

- Documentation on the IEP includes a statement of specially-designed instruction (SDI), which means adapting, as appropriate, the content, methodology, or delivery of instruction to address the unique needs of the child with a disability and to ensure access of the child to the general curriculum included in the Program of Studies.
- SDI and Supplementary Aids and Services (SAS) are based on peer-reviewed research to the extent practicable.
- SDI and Supplementary Aids and Services (SAS) are designed to meet the unique needs of the child as documented in evaluation information and Present Levels or progress monitoring data analysis.

SDI in its simplest form is “**what the teacher does**” to instruct, assess, and re-teach the child. The SDI documents what the teacher does, as appropriate, to adapt the content, to adapt the methodology, or to adapt the delivery of instruction. If **instruction** is required for the child to use an assistive technology device, material, supplementary aid, strategy or service, it should be described as specially designed instruction on the IEP.

	Yes	No
36. Statement of specially designed instruction		

Comments:

Item 37

Look for: IEP, Evaluation/Methods of Measurement

Directions:

- Mark "YES" if for each annual goal, documentation on the IEP shows the specific evaluation method that will be used by IEP implementers to gather the evidence of child progress or lack of progress toward meeting the annual goal.

Note: Evaluation/Method of Measurement can be documented in the annual goal statement or following the prompt "Methods of Measurement."

	Yes	No
37. Statement of how the child's progress toward annual goals will be measured (method of measurement)		

Comments:

Item 38a

Look for: IEP, Review of Progress of Annual Goal

Directions:

- Mark "YES" if there is documentation of when periodic reports will be provided to the parent(s) on the progress the child. This may include the use of quarterly or other periodic reports that are issued at the same time as report cards.

	Yes	No
38. Statement of when the parent(s) will be regularly informed of progress toward the goals		

Comments:

Item 38b

Look for: IEP, Progress Data for Annual Goal(s); Conference Summary, **Progress Monitoring Data Folder**

Directions:

- Mark "YES" if there is evidence of progress data collection (graphs, charts, checklists, etc.) and analysis (written summary of data analysis) for each annual goal.
- Mark "NA" if this is an initial IEP and prior to the first reporting period requirement.

Note: On-going progress data may be kept in a separate location from the due process folder, as long as the final analysis evidence (cumulative graphs, charts, checklists) and the written analysis of the data are added to the student's due process record when the IEP is reviewed. If questions arise regarding the graphs, charts, checklist, etc. or written summary analysis, any supporting evidence kept in another location must be available upon request of the reviewer.

	Yes	No	NA
38. Evidence of progress data collection and analysis for each annual goal			

Comments:

Item 39

Look for: IEP, Supplementary Aids and Services.

Directions:

- Mark "YES" if supplementary aids and services are documented according to the unique needs of the child.

Notes:

- This section cannot be left blank.
- Documentation on the IEP includes a statement of supplementary aids and services which means services and other supports that are provided in the general education environment or other education related settings to enable children with disabilities to be educated with non-disabled children.
- The decisions for Supplementary Aids and Services are supported by data and are based on needs related to the disability in order to make progress toward the annual goals.

Supplementary Aids and Services (SAS) in its simplest form is what the child needs in order to advance appropriately toward attaining the goal(s) and be involved and make progress in the general curriculum, to participate in extracurricular and other nonacademic activities, and be educated and participate with other children with and without disabilities. SAS includes strategies, aids, and services.

If the child requires specific materials, resources, aids, strategies or services to gain access to the general education curriculum, as supported in evaluation data, the IEP should describe them as supplementary aids and services based on peer-reviewed research to the extent practicable.

	Yes	No
39. Supplementary aids and services		

Comments:

Item 40

Look for: IEP, Accommodations for Administration of State Assessment and Assessments in the Classroom; current evaluation information; Accommodations Determination Form

Directions:

- Mark "YES" if the accommodations for assessment are related to the individual student's needs as supported by evaluation data, and the impact of the disability on specific areas of learning.
- Mark "NA" if no accommodations are documented.

Note: Decisions concerning the use of accommodations shall be supported by evaluation information and the IEP (the student's present level of performance, specific goals and objectives, specially designed instruction, related services or supplementary aids and services) as necessary for the student to access the general education curriculum.

	Yes	No	NA
40. Statement of individual accommodations for participation in the state or district-wide assessment			

Comments:

Item 41

Look for: IEP, Accommodations for Administration of State Assessment and Assessments in the Classroom; Participation Guidelines for Alternate Assessment

Directions:

- Mark "YES" if documentation shows the ARC provided a statement of its decision and the reasons for the decision, to determine the child met all criteria for "Eligibility for Alternate Assessment".
- Mark "NA" if the student is not eligible for the Alternate Assessment Program.

Note: This decision is reviewed annually and documentation is completed at every annual review meeting.

	Yes	No	NA
41. Statement of decisions and reasons for meeting the requirements for Alternate Assessment Program			

Comments:

Item 42

Look for: IEP, Program Modifications and Supports for School Personnel.

Directions:

- Mark “YES” if documentation shows the program modifications or supports for school personnel for services provided on behalf of the child to meet his/her unique needs.
- If the ARC determines that no program modification and supports are needed, this should be documented in the IEP as “no modifications or supports are needed” or a similar statement.

Notes:

- This section cannot be left blank.
- Documentation on the IEP modifications and supports may include specialized training, use of school time, and/or use of school staff. School staff needing specialized training may include bus drivers, paraprofessionals, administrators, related service providers, cafeteria staff, general education teachers, special education teachers, etc.
- If the child is receiving services through a co-teaching model, the model is described under Program Modifications and Supports for School Personnel.
- If consultation is the service delivery method, this section explains the anticipated frequency and type of consultation. (For more information regarding consultation, see *Collaborative Teaching Practices for Exceptional Children Question and Answer Document*, June 2011 page 12, item #23).

	Yes	No
42. Statement of program modifications and supports for school personnel to be provided for the child to: • Advance appropriately toward attaining the annual goals; • Be involved and progress in the general curriculum; • Participate in extracurricular and other nonacademic activities; and • Be educated and participate with other children with or without disabilities.		

Comments:

Item 43

Look for: IEP, Least Restrictive Environment in General Education.

Directions:

Mark “YES” if documentation includes an explanation of the classes, if any, in which the child will be participating outside of the regular class. This explanation will identify the identification of the content areas to be provided outside regular class, such as “math” or “reading.”

Examples of two different formats for writing LRE statement:

- For a student who receives most of her core content classes in general education, the explanation may state: “Sarah will not participate in general education for language arts. She will receive language arts instruction in the resource room.” **OR**

Special Education: Language Arts

Regular Education: Math, Social Studies, Science, Related Arts

- For a student who receives instruction in a content area in the regular classroom with co-teaching and SDI in a resource room, the explanation may state: Josh will receive all core content in the regular classroom. He will also receive language arts instruction in the resource room. **OR**

Special Education: Language Arts

Co-Teaching: Language Arts

Regular Education: Math, Social Studies, Science, Related Arts

- For a speech-only student who's ARC does not know the school schedule for the upcoming year: *"Bobby will participate in all regular education core content classes. He will be removed from the general education non-core classes for two periods a week to receive speech services in the resource room."* **OR**

Special Education: Speech

Regular Education: All Core Content Classes

- If the ARC determines that the student will receive all educational services in regular education classes with co-teaching for Reading: *"Sandi will participate in all general education classes for the entire school day."* **OR**

Co-Teaching: Language Arts

Regular Education: Math, Social Studies, Science, Related Arts

- If the ARC determines that the student will participate most of the day in special class, the ARC may document the decision: *"Kris will not participate in the general education core content classes of math, reading, science, and social studies. She will receive instruction for her core content classes in the resource room."* **OR**

Special Education: All Core Content Classes

Regular Education: Electives

- For a student participating in a social skills program: *"Joe will receive all core content instruction within the general education. He will be removed from the general education environment during non-core classes two times per week for social skills instruction."* **OR**

Special Education: Social Skills Instruction

Regular Education: All Core Content Classes

Note: Location of services should be aligned with the amount of time the child participates outside regular classes.

	Yes	No
43. An explanation of the extent, if any to which the student will not participate with nondisabled children in regular education classes (content area).		

Comments:

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Item 44

Look for: IEP, Special Education Services section.

- a. Anticipated frequency of service

Directions:

- Mark “YES” if documentation includes how often the child will receive the service(s). This may be listed as daily, hourly, weekly, by number of times per week, monthly, blocks per day, or class periods.

- b. Anticipated amount of time (duration)

Directions:

- Mark “YES” if documentation includes the amount of time the service will be provided to the child. This may be an approximation of time in terms of minutes, hours, or blocks of time, but may not be a range of time.

- c. Projected beginning and ending dates

Directions:

- Mark “YES” if documentation includes the date (month and year) the special education services are projected to start.

- d. Anticipated location(s)

Directions:

- Mark “YES” if documentation includes the general education or special education environment in which the services will be provided.

Note: If the child receives services for speech/language only, this is considered a Special Education Service (and not a related service).

44. Special education services	Yes	No
a. Anticipated frequency of service;		

b. Anticipated amount of time (duration);		
c. Projected beginning and ending dates;		
d. Anticipated location(s).		

Comments:

Item 45

Look for: IEP, Related Services section.

a. Anticipated frequency of service

Directions:

- Mark "YES" if documentation includes how often the child will receive the service(s) which may be listed as daily, hourly, weekly, by number of times per week, monthly, blocks per day, or class periods.

b. Anticipated amount of time (duration)

Directions:

- Mark "YES" if documentation includes the amount of time the service will be provided to the child. This may be an approximation of time in terms of minutes, hours, or blocks of time, but may not be a range of time.

c. Projected beginning and ending dates

Directions:

- Mark "YES" if documentation includes the date (month and year) the related services are projected to start.

d. Anticipated location(s)

Directions:

- Mark "YES" if documentation includes the general education or special education environment in which the Related Services will be provided.

Note: The ARC may decide, based on data, that specially-designed instruction alone will assist the child in making progress toward goals, objectives/benchmarks and that related services are not needed.

45. Related services (if NA, go to #46)	Yes	No	NA
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a. Anticipated frequency of service;			
b. Anticipated amount of time (duration);			
c. Projected beginning and ending dates;			
d. Anticipated location(s).			

Comments:

Item 46

Look for: Conference Summary/Action Notice form.

Directions:

- Mark "YES" if documentation includes parent(s) concerns.
- Mark "NA" if the ARC documented that there were no concerns of the parent(s).
- Mark "NO" if the parent is not in attendance and there is no documentation of parent contact.

	Yes	No	NA
46. The ARC considers the concerns of the parent in the development of the IEP.			

Comments:

Item 47

Look for: Individual Learning Plan, multi-year course of study.

Directions:

- Mark "YES" if documentation includes at least one of the following: a) ARC Conference Summary notes of the discussion of the ILP with each course in course of study listed; b) a copy of the ILP; or c) a copy of child's multi-year course of study.
- Mark "NA" if child is not yet in 8th grade or age 14, whichever comes first.

Note: Multi-year means from the current year to the child's expected year of exiting high school.

	Yes	No	NA
47. For children in the 8 th grade or age 14 and older, the child has a multi-year course of study as outlined in the child's Individual Learning Plan.			

Comments:

Extended School Year Services (ESY) - 707 KAR 1:290, Section 8 Item 48

Look for: Conference Summary/Action Notice or IEP.

Directions:

- Mark "YES" if the ARC reviewed the child performance data to determine the child met criteria for extended school year services AND described either the services to be provided or the reasons why services will not be provided.
- ESY criteria include:
 - Whether the child regressed and failed to recoup the skills previously taught within a certain period of time. If the district does not have data, the need for ESY may be established by:
 - Expert opinion based on assessment of the individual child regarding whether the child is projected to regress and fail to recoup previously attained skills within a certain period of time.
- Mark "NA" only for initial eligibility ARC meetings or for ARC meetings other than the Annual Review meeting.

Note: If the child is transferring from Part C to Part B, the ARC reviews progress data from the IFSP. If the child meets ESY criteria, the ARC identifies the IEP goal(s) to be taught during ESY. If the child did NOT meet the ESY criteria, the ARC documents the decision.

	Yes	No	NA
48. The ARC considered extended school year (ESY) services according to individual child need.			

Comments:

Transition Services - 707 KAR 1:320, Section 7

Notes for items 49a-49i:

- Complete this section for students who are 16 years of age or older. (SPP/APR Indicator 13)
- College and Career Readiness (CCR) connections are included to show the direct correlation between CCR and IEP components.

Reminder: If on the day of review of the student's record, the student is 16 years old – the transition requirements have to be met. The requirements are for IEPs that are in effect when the student is age 16.

Item 49a

Look for: IEP, Measurable Postsecondary Goals

Directions:

- Mark “YES” if documentation includes postsecondary goals to cover two (2) areas, education/training and employment, and a third goal as needed for independent living.
- Mark 49a “YES” only if 1 and 2 (and 3 if appropriate) are yes.

Notes:

- Postsecondary goals must be measurable and intended to occur after the student graduates from high school.
- Postsecondary goals align with other available student information/data (e.g., present levels, student interests, student preferences).
- If a student's information/data indicate a need for an independent living postsecondary goal, the ARC includes an independent living goal in the IEP. (For further information and examples, see [Indicator 13 Kentucky Transition Requirements](#)).

CCR: ARCs can use EXPLORE, PLAN, and ACT student profiles (“Your Plans” and “Your Career Possibilities”) as well as Individual Learning Plan (ILP) information (“Careers that Interest Me”) to inform decisions about postsecondary goals and transition services.

	Yes	No	NA
49a. The IEP includes appropriate measurable postsecondary goals related to			
1. training or education			
2. employment			
3. when appropriate, independent living skills.			

Comments:

Item 49b

Look for: IEP, Transition Services and Agency Responsible.

Directions:

Mark “YES” if transition services include services that the district/school provides for the child and, if appropriate, any other interagency responsibilities or needed linkages.

Notes:

- Types of transition services may include: instruction; related services; community experience; development of employment and other post-school adult living objectives; and if appropriate, acquisition of daily living skills and provision of a functional vocational evaluation. One transition service that may be listed for every child is providing the course of study as outlined in their ILP/IGP.
- Transition services must reasonably enable the student to meet the student's education/training, employment, and independent living postsecondary goal(s). For examples of transition services, see [Indicator 13 Kentucky Transition Requirements](#).

CCR: ARCs can use EXPLORE, PLAN, and ACT student profiles ("Your Plans" and Your Career Possibilities") as well as Individual Learning Plan (ILP) information ("Careers that Interest Me") to inform decisions about postsecondary goals and transition services. The student profiles also include information from the student about their self-assessed needs ("Your Reported Needs").

	Yes	No
49b. The IEP includes transition services that will reasonably enable the child to reach the postsecondary goals.		

Comments:

Items 49c and d

49c

Look for: Notice of Admissions and Release Committee Meeting.

Directions:

- Mark "YES" if the Notice of Admissions and Release Committee Meeting indicates an outside agency that is likely to be responsible for providing or paying for transition services that are needed to assist the child in reaching postsecondary goals was invited to the meeting.
- Mark "YES" if the ARC documented that the need for an outside agency was not appropriate, the child's IEP did not include transition services that required another agency, or the parent refused consent to invite an outside agency..

Note:

- Outside agencies may include Office of Vocational Rehabilitation; Commission for Children with Special Health Care Needs; Department of Mental Health.
- There may be transition services listed that involve another agency, but will not be implemented until the child's senior year, this may be noted as an agency involved, but marked on the invitation that an invitation for the agency to send a representative to the ARC is not appropriate at this time. The conference summary describes the decisions made in this process. For more information regarding transition requirements, see *Indicator 13 Kentucky Transition Requirements*.

CCR: ARCs can use EXPLORE, PLAN, and ACT student profiles ("Your Plans" and "Your Career Possibilities") as well as Individual Learning Plan (ILP) information ("Careers that Interest Me") to

inform decisions about the need for outside agency involvement. The student may invite outside agency representatives to view their ILP.

49d

Look for: Consent for Outside Agency Invitation.

Directions:

- Mark “YES” if documentation includes a signed, dated parent(s) (or emancipated youth) Consent for Outside Agency Invitation obtained prior to the Notice of Admissions and Release Committee Meeting, if a representative of an outside agency that is likely to be responsible for providing or paying for transition services is invited to the ARC meeting.
- Mark “YES” if Item 49c indicates that the ARC documented need for other agency was not appropriate or child’s IEP did not include transition services that required another agency.

	Yes	No
49c. For transition services likely to be provided or paid for by another agency, the other agency is invited to send a representative, if appropriate.		
49d. If an agency was invited to send a representative signed Consent for Outside Agency Invitation is included.		
Comments:		

Item 49e

Look for: Individual Learning (Graduation) Plan, multi-year course of study.

Directions:

- Mark “YES” if documentation includes at least one of the following: a) ARC Conference Summary notes of the discussion of the ILP (IGP) with each course in course of study listed; b) a copy of the ILP (IGP); or c) a copy of child’s multi-year course of study.

Notes:

- Multi-year means from the current year to the child’s expected year of exiting high school. Courses should be identified by title. The use of the term, “elective,” should be avoided.
- The student’s course of study is a multi-year description of coursework designed to help achieve the student’s postsecondary goal(s).

CCR:

- ARCs can use EXPLORE, PLAN, and ACT student profiles (“Your Plans”) as well as Individual Learning Plan (ILP) information (“Course of Study”) to inform decisions about transition needs that focus on the child’s course of study.
- ARCs can allow the student and parent(s) to review the student’s ILP as part of the transition planning process.

	Yes	No
49e. As a transition service, the child has a multi-year course of study as outlined in		

the Individual Learning (Graduation) Plan.		
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Comments:

Item 49f

Look for: IEP, Annual Goals or Transition Page, or Conference Summary/Action Notice form.

Directions:

- Mark "YES" if, for at least one annual goal, the ARC documents which postsecondary goal the annual goal supports OR the annual goals that support postsecondary goals are listed as transition services on the transition page of the IEP.

CCR: ARCs can use EXPLORE, PLAN, and ACT student profiles ("Your Skills") as well as Individual Learning Plan (ILP) information ("My Skills") to inform decisions about annual goals needed to enable the child to reach postsecondary goals. The student profiles also include information from the student about their self-assessed needs ("Your Reported Needs").

	Yes	No
49f. Annual goal(s) included in the IEP are related to the transition service needs.		

Comments:

Item 49g

Look for: IEP **Present Level Transition Needs area**, Transition Assessments, or Conference Summary/Action Notice form, Description of each Evaluation Procedure, Test, Record, or Report used as a Basis for the ARC Decision.

Directions:

- Mark "YES" if, documentation includes evidence that postsecondary goals are based on formal and/or informal transition assessment.

Notes:

- Actual copies of the transition assessments administered may be maintained as other components of the child's education record (e.g., ILP career assessments, learning style inventories).
- Assessments may include: behavioral assessment information, aptitude tests, interest and work values inventories, intelligence tests and achievement tests, personality or preference tests,

career maturity or readiness tests, self-determination assessments, work-related temperament scales, and transition planning inventories.

- The record includes documentation that at least one age appropriate transition assessment was used to provide information on the student's needs, strengths, preferences, and interests regarding each postsecondary goal.
- Age-appropriate means the measure reflects the child's chronological age rather than developmental age.

CCR: ARCs can use EXPLORE, PLAN, and ACT student profiles as well as Individual Learning Plan (ILP) assessment information ("Career Matchmaker," "My Skills" and "Learning Styles") as transition assessments to inform decisions about postsecondary goals.

	Yes	No
49g. Measurable postsecondary goals are based on age-appropriate transition assessment.		

Comments:

Item 49h

Look for: Notice of Admissions and Release Committee Meeting

Directions:

- Mark "YES" if the child is listed as invited to attend the meeting on the parent's Notice of Admissions and Release Committee Meeting.

CCR: ARCs can include the child in the transition discussion by asking him/her to explain his/her EXPLORE, PLAN, and ACT student profile as well as Individual Learning Plan (ILP) information.

	Yes	No
49h. The child is invited to the ARC meeting where transition services were discussed.		

Comments:

Item 49i

Look for: IEP, Conference Summary/Action Notice

Directions:

- Mark "YES" if the IEP has been reviewed annually and includes postsecondary goals.
- Mark "YES" if the IEP is the first IEP after the child turned 16.

	Yes	No
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49i. The measurable postsecondary goals are updated annually.		
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Comments:

Item 49

Look for: Summary of the Record Review items for 49a-49i

Directions:

- Mark "YES" if all the requirements listed below in 49a-i are marked "Yes"
- Mark "NO" if one or more of the requirements listed below is "No"
- Mark "NA" if the child is not yet 16 as of the date of this record review. Skip to #50.

	Yes	No	NA
49. <u>For students who have reached the age of 16 and older, all the Item 49 (a-i) requirements are met:</u>			

Comments:

Item 50

Look for: IEP

Directions:

- Mark "YES" if the student is age 16 and all requirements of item 49 are met.
- Mark "NA" if the child is not yet 16 as of the date of this record review. Skip to #51.
- Mark this item "NA" if the student is 17 or older.

	Yes	No	NA
50. By the student's 16th birthday, all of the requirements above are met.			

Comments:

Item 51a

Look for: IEP, Transition page

Directions:

- Mark "YES" if documentation shows that the child and the parent(s) were informed of the transfer of rights at least one year prior to the student's 18th birthday.
- Mark "NA" if student is less than 17 years of age.

Note: For more information and guidance regarding age of majority, see [Guidance Document for IEP Development](#).

	Yes	No	NA
51. At least one year prior to the child reaching the age of majority, the IEP includes a statement that the child and parent have been informed of the child's rights and that the rights will transfer to the child upon reaching the age of majority.			

Comments:

Item 51b

Look for: Conference Summary/Action Notice

Directions:

- Mark "YES" if documentation shows that the child and the parent(s) were informed of the student's graduation from high school prior to graduation.
- Mark "NO" if there is no documentation of pending graduation on the Conference Summary/Action Notice.

Note: Graduation from high school with a regular high school diploma constitutes a change in placement, requiring written prior notice in accordance with the requirements state and federal regulations (Conference Summary/Action Notice).

	Yes	No	NA
51. The Conference Summary/Action Notice includes documentation of prior notice for the student if graduating from high school with a regular high school diploma (graduation constitutes a change in placement).			

Comments:

Placement Determinations - 707 KAR 1:350, Section 1

Item 52

Look for: Conference Summary/Action Notice.

Directions:

- Mark “YES” if the box is checked indicating the placement has no potential harmful effects on the child or on the quality of services that he needs ; OR
- If potentially harmful effects of the placement are identified and modifications to compensate are outlined.
- Mark “NA” if placement was not an action proposed/refused during the ARC meeting.

	Yes	No	NA
52. The ARC considered potentially harmful effects of the placement on the child or the quality of services.			

Comments:

Item 53

Look for: Conference Summary/Action Notice form.

Directions:

- Mark “YES” if documentation shows that the ARC considered the regular educational environment as the first placement option for the child and reasons for removal.
- Mark “NA” if placement was not an action proposed/refused during the ARC meeting.

Notes:

- If after first considering provision of services within the regular educational environment setting, a more restrictive setting is selected, **there must be a statement given for the reason services cannot be provided in the regular educational environment.** Explanation may include information about pacing needs, needed supports in or outside of the regular educational environment. Reasons cannot be based on costs, staffing, administrative convenience, or time factors.
- Any placement decisions, including those related to transition services (including work placement), must be based on LRE requirements. When an ARC includes a work placement as part of the student’s transition services, the ARC must consider, and include in the IEP, as appropriate, any supplementary aids and services needed to enable the student to participate with other students with disabilities and nondisabled students in the work placement described in the IEP. (OSEP policy letter, June 22, 2012 to Disability Rights Wisconsin Managing Attorney Spitzer-Resnick, Swedeen, and Pugh
<http://www2.ed.gov/policy/speced/guid/idea/memosdcitrs/062212workplacelre2q2012.pdf>)

Example: Even with supplementary aids and services, John cannot be successful in a regular education setting due to his need for intensive direct instruction and need for frequent repetition of content.

	Yes	No	NA
53. Documentation shows that removal of the child from the regular educational environment occurs only if education in the regular education environment with the use of supplementary aids and services cannot be satisfactorily achieved due to the nature or severity of the disability. (Documentation shows that placement in regular class is the first placement option considered.)			

Comments:

Timelines – 34 CFR 300.124 and 300.323, 707 KAR 1:300, Section 3 (16), 707 KAR 1:320, Section 1 & 2, and 707 KAR 1:340

Item 54

Look for: Consent for Evaluation form; Consent for Services form; School Calendar for current year; Notice of Admissions and Release Committee Meeting; Conference Summary/Action Notice; IEP.

Directions:

- Mark “YES” if the district met the 60 school day timeline between receipt of Consent for Evaluation and Consent for Services.
- Mark “YES” if the district met the 60 school day timeline between receipt of Consent for Evaluation and the date that the ARC Determined Student was Ineligible for Services.
- Mark “YES” if the ARC developed the IEP within the 60 school day timeline and the parent(s) failed to attend the ARC after properly given notice.
- Mark “NA” if the parent(s) of a child repeatedly fails or refuses to produce the child for the evaluation.
- Mark “NA” if the child transfers to the school district after consent for initial evaluation is given but before the evaluation is completed.
- Mark “NA” if the child was not determined eligible during the reporting year.

For the purpose of Item # 54, the district must randomly select from the records of all students initially determined eligible for special education services during the reporting period. Records reviewed must include students identified both eligible for services and not eligible for services. (SPP/APR Indicator 11)

Notes:

- Do not mark the record as exceeding the 60 school day timeline if the eligibility ARC was properly convened and the IEP developed, but the parent delayed their consent for services beyond the timeline.
- “Repeatedly failed or refused to produce the child” means more than two times.
- The 60 school day timeline does not supersede the requirement for preschoolers transitioning from Part C to have an IEP in place by their third birthdate.
- The 60 school day timeline refers to the district’s school calendar based on a five (5) day school week even though specific students may attend less than a five (5) day week.

	Yes	No	NA
54. For children initially referred during the current (reporting) school year, the ARC completed the evaluation within 60 school days from receipt of Consent for Evaluation to the receipt of Consent for Services for children found eligible; Or, For ineligible students, 60 school days from receipt of Consent for Evaluation to date of Eligibility ARC.			
Date of Consent for Evaluation: _____			
Date of Consent for Services: _____			
OR			
Date ARC Determined Student Ineligible for Services: _____			
If beyond timeline, indicate # of days: _____			
If beyond timeline, indicate ARC’s reason for delay: ☐ parent repeatedly failed or refused to produce the child for evaluation ☐ child transferred from another district and parent and district agreed to extension date ☐ other _____			

Comments:

Item 55

Look for: Conference Summary/Action Notice; Eligibility Determination form; IEP.

Directions:

- Mark "YES" if the date of the eligibility ARC meeting compared to the date of the IEP is within 30 calendar days.
- Mark "NA" if the child was not determined eligible during the reporting year.
- Mark "NA" if the child is a transfer student.

Note: The 30 calendar day requirement is within the 60 school day timeline.

	Yes	No	NA
55. For children initially referred during the current (reporting) school year, the ARC developed the IEP within 30 calendar days from determining eligibility to developing the IEP. Date of Eligibility ARC Meeting: _____ Date of IEP: _____			

Comments:

Item 56

Look for: IEP.

Directions:

- Mark "YES" if the dates (month, day, and year) of the last two IEPs verify that a review was conducted annually, i.e., within 365 days.
- Mark "NA" for a child whose initial IEP is less than 1 year.

	Yes	No	NA

56. The ARC conducts a review of the IEP annually (i.e., within the calendar year) to determine whether the annual goals for the child are being achieved and revise the IEP as appropriate. Mark this item "NA" if child has been receiving special education less than one year. Dates of last two IEPs: (1) _____ (2) _____			
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Comments:

Item 57

Look for: Conference Summary/Action Notice; Multi-Disciplinary Evaluation; Eligibility Determination form; School Calendar for current year.

Directions:

- Mark "YES" if documentation verifies reevaluation was conducted within 3 calendar years.
- Mark "NA" for a child whose initial evaluation is less than 3 years ago.
- Mark "NA" if the child did not go through the reevaluation process during the reporting year.

	Yes	No	NA
57. The ARC conducted a reevaluation in the current (reporting) year (which may consist of review of existing data, if appropriate) within 3 calendar years from the date of the last Eligibility ARC meeting. Date of previous Eligibility ARC Meeting: _____ Date of current Eligibility ARC Meeting: _____			

Comments:

Item 58

Look for: IEP.

Directions:

- Mark "YES" if the date of the IEP is on or before the child's third birthdate.

Note: "Developed and implemented" means that the IEP is in place by the child's third birthday.

	Yes	No	NA
58. For children exiting Part C, documentation shows that the IEP was developed and implemented by the child's third birthday.			
Child's Birth Date _____			
IEP Date _____			

Comments:

Item 59

Look for: IEP; School Calendar.

Directions:

- Mark "YES" if the current IEP is in effect at the beginning of the school year.
- Mark "NA" if the child was not eligible for services at the beginning of the school year.

	Yes	No	NA
59. The IEP is in effect at the beginning of the school year.			

Comments:

Item 60

Look for: Summary of Performance, Conference Summary/Action Notice, and other district records.

Directions:

- Mark "YES" if documentation shows the student was provided a copy of the summary.
- Mark "NA" if the student has not graduated or aged out.

- Mark “NO” if the student has graduated or aged out and there is no documentation that the Summary of Performance was provided to the child.

Note: Records of at least 10% of students graduating or aging out must be reviewed for this item (minimum of 10 and maximum of 50).

	Yes	No	NA
60. For students graduating or aging out, documentation shows that the child was provided a summary of the child's academic achievement and functional performance including recommendations on how to assist the child in meeting postsecondary goals.			

Comments:

Initial Evaluation and Reevaluation - 707 KAR 1:300

Note for items 61 – 69: Review the most current evaluation and eligibility information:

- Initially referred and tested for a categorical disability during the current (reporting) school year OR
- Reevaluation for continued eligibility during the current (reporting) school year.
- Do not complete items 61-69 if the child was not evaluated (initial or reevaluation) during the current (reporting) school year.
- **Complete items 61-68 for students who have been initially evaluated during the current (reporting) school year.**
- **Complete items 62-69 for students who have been reevaluated during the current (reporting) school year.**

Item 61 a and b

Look for: Referral form, including the documentation page of “Interventions Implemented” (targeted area of concern, strategies/interventions, start and end date, impact on targeted area), data-based documentation of repeated assessments (universal screening) collected and evaluated at reasonable intervals showing repeated assessments of student progress during instruction.

Directions:

- Mark “YES” if the ARC documented evidence of:
 - Completed Referral form

- Appropriate and relevant research-based instruction and intervention services
- Provided in regular education settings
- Delivered by qualified personnel
- **Mark “NA” if child was not initially evaluated this reporting year.**

Notes:

- Documentation of Progress Data must be attached that includes evidence of delivery of the intervention by qualified personnel and that the intervention was delivered in the regular education setting.
- The intervention services must be instructional (i.e., phonetic instruction in reading). Instruction does not include accommodations such as preferential seating or extended time.
- For children 0-5 years who have been identified and served through early intervention, the written referral includes a description of interventions and current concerns.
- For children 0-5 years who have not been enrolled in an early intervention program, the written referral includes the parent(s)’s description of any interventions. Parent(s) are not required to document specific strategies.

Research-based means the intervention has been accepted by a peer-reviewed journal or approved by a panel of independent experts through a comparably rigorous, objective, and scientific review (Federal Register, Volume 71, No 156, Rules and Regulations, page 46683).

Qualified personnel means personnel who meet the statutory or regulatory qualifications for each respective profession currently applicable in this state (707 KAR 1:002 Section 1 (49)).

Item 61 c

Look for: Referral form including **documentation** of results and analysis of universal screening, standardized group test data, curriculum based assessment, student performance data; Correspondence to parent(s) regarding the results of the repeated assessments.

For three, four, and five-year old children receiving interventions prior to entering preschool, who are not transitioning from First Steps, look for:

- Documentation of child’s progress on interventions. A minimum of three data points is required. The documentation may include checklists or other data collection instruments that document how the child performed over time.
- Participation over time, including the dates of repeated assessments. If the child is receiving interventions one time a week, the interventions must be provided over time, to give the child adequate time to respond to the interventions. If the child is receiving interventions several times a week, the intervention period should be long enough to give the child adequate time to respond to the interventions.

Directions:

- Mark “YES” if the ARC reviewed a completed Referral INCLUDING
 - documented evidence of repeated assessments of achievement (e.g., universal screening; standardized group test data; curriculum-based assessment); AND
 - documentation of the results of repeated assessments of achievement was provided to the parent
- **Mark “NA” if child was not initially evaluated this reporting year.**

Notes:

- There must be evidence of the collection and analysis of progress data during implementation of research-based instruction and interventions.
- Documentation of results and analysis may be a)described within the conference summary notes; b)attached as a summary of intervention data and analysis; c)attached as a Summary of Intervention form.

61. The ARC reviewed a Referral for Multi-Disciplinary Evaluation, including documentation of interventions, prior to conducting a full and individual evaluation.	Yes	No	NA
a. The Referral Form is complete.			
b. Documentation shows the child was provided: ____ Yes ____ No Appropriate, relevant research-based instruction and intervention services; ____ Yes ____ No Delivered in regular education settings; ____ Yes ____ No Delivered by qualified personnel; AND			
c. Documentation shows: ____ Yes ____ No Data-based documentation of repeated assessments of achievement and behavior ____ Yes ____ No Collected and evaluated at reasonable intervals ____ Yes ____ No Documentation of correspondence to the parents			

Comments:

Item 62

Look for: Consent to Evaluate/Reevaluate form; Conference Summary/Action Notice

Directions:

- Mark "YES" if the ARC planned and documented evaluation.

Notes:

- If the ARC is reevaluating to determine continued eligibility for a previously determined category of disability, there must be evidence of progress data collection and analysis.
- If the ARC is reevaluating to determine eligibility when a student ages out of Developmental Delay, there must be evidence of the collection and analysis of progress data during implementation of research-based instruction and interventions for the identified areas of concern.
- If the ARC is reevaluating to determine eligibility for another disability category, there must be evidence of the collection and analysis of progress data during implementation of research-based instruction and interventions for the identified areas of concern.

- Documentation of results and analysis may be a) described within the conference summary notes; or b) attached as a summary of data and analysis.
- For students exiting First Steps, upon the review of First Steps data, (which may include Exit Assessment, Discharge Summary, and/or Progress Report), the ARC determines they do not have the baseline data they need to proceed, the district must collect that data. Districts may contact individual First Steps providers for copies existing data, with parent consent.

	Yes	No
62. The ARC identified a suspected disability and planned an appropriate evaluation as documented on Consent to Evaluate/Reevaluate form. _____ Yes _____ No A review and analysis of the referral information (for initial evaluation) OR progress monitoring data of the child (for reevaluation); AND _____ Yes _____ No the information was sufficient to support a suspected disability; AND _____ Yes _____ No the tests and procedures necessary to assess the child were documented.		

Comments:

Item 63

Look for: Consent to Evaluate/Reevaluate form, Multi-Disciplinary Evaluation Report.

Directions:

- Mark "YES" if multi-disciplinary evaluation conducted matches the evaluation plan or Consent to Evaluate/Reevaluate.
- For a review of data for a reevaluation, mark "YES" if the documentation in the multidisciplinary evaluation report reflects the interpretation of existing data.

	Yes	No
63. The ARC conducted a full and individual evaluation related to all areas of the suspected disability.		

Comments:

Item 64

Look for: Multi-Disciplinary Evaluation Report, Eligibility Determination form

Directions:

- Mark "YES" if the ARC used information from a variety of sources in determining eligibility and planning appropriate programs.
- For a review of data for a reevaluation, mark "YES" if the documentation in the multidisciplinary evaluation report reflects the interpretation of existing data.

	Yes	No
64. The ARC used a <i>variety</i> of assessment tools and procedures to determine the child was a child with a disability and to determine an appropriate educational program for the child.		

Comments:

Item 65

Look for: Referral, Multi-Disciplinary Evaluation Report, Social-Developmental History, Conference Summary/Action Notice, Eligibility Determination form

Directions:

- Mark "YES" if evaluations were given in the native language or mode of communication of the child; OR
- If documentation reflects the reason(s) the child was not assessed in the native language or mode of communication.

	Yes	No
65. The ARC provided and administered the assessment in the native language or mode of communication appropriate for the child; OR documentation exists that it was clearly unfeasible to do so.		

Comments:

Item 66

Look for: Conference Summary/Action Notice, Social-Development History, Adaptive Behavior Assessments, Rating Scales, Eligibility Determination form

Directions:

- Mark "YES" if the ARC reviewed and discussed evaluations and information provided by the parent(s) or completed by the parent(s).

	Yes	No	NA
66. The ARC considered evaluations and information provided by the parents.			

Comments:

Item 67

Look for: Multi-Disciplinary Evaluation Report, Behavior Observations, results of classroom-based assessments, Eligibility Determination form

Directions:

- Mark "YES" if ARC reviewed and discussed current classroom-based assessments and classroom-based observations.

Note: Mark N/A only if ARC documents assessments and observations were not considered due to unavailability or if they did not exist.

	Yes	No	NA
67. The ARC considered current classroom-based, local or state assessments and classroom observations; and observations from teachers and related service providers.			

Comments:

Item 68

Look for: Eligibility Determination Form, Consent for Services, IEP, and Conference Summary/Action Notice.

Directions:

- Mark "YES" if review of the dates indicates evaluations were conducted prior to provision of services.

	Yes	No
68. The ARC conducted a full and individual evaluation prior to implementing special education services.		

Comments:

Item 69a

Look for: Consent to Evaluate/Reevaluate, Conference Summary/Action Notice, Review of Records/Reevaluation Summary Form

Directions:

- Mark "YES" if the ARC determined additional data is not needed for reevaluation AND the ARC documented the review of existing evaluation data.
- Mark "NA" for evaluations provided by the parent(s) if no evaluations are in existence
- **Mark "NA" if child was not reevaluated this reporting year.**
- **Mark "NA" if full reevaluation was conducted.**

Notes:

- Local assessment data may include district or school-wide assessment data such as universal screening, common assessments, etc.
- Current classroom based assessment includes IEP progress monitoring.
- For reevaluation purposes, classroom-based observations include:
 - a. a combination of at least two forms of current informal teacher observations such as progress monitoring data, anecdotal notes, or documented teacher input about student performance; OR
 - b. at least two formal teacher observations; OR
 - c. a combination of both a and b.
- If the ARC determines formal observations are needed in order to re-determine eligibility, prior written parent consent must be obtained.
- **For determining eligibility for Specific Learning Disability, the ARC is required to conduct at least two formal observations.**
- The ARC applies the following criteria to determine if re-administration of an individual intelligence test is necessary for a reevaluation:
 - The child has a minimum of two consistent IQ scores with one being at or above age 9; and
 - The child's IQ scores have a confidence interval of no less than 90%.

For high school students who do not have a current (within 3 year period) IQ score may need to be reevaluated in order to determine transition needs and services.

ARC may reference previous evaluation data, behavior observations, etc., in the review of existing information	Yes	No	NA
69a. If the ARC determines additional <u>data is not needed</u> for a reevaluation, the ARC documents the review of existing data:			
1. Evaluations and information provided by the parents;			

2. Minimum of two classroom-based observations by teachers and related services providers;			
3. One or more of the following: ○ Current classroom-based assessment data ○ Local assessment data ○ State assessment data			
4. Current progress monitoring of IEP goals to determine whether the child's educational performance continues to be significantly and consistently below the level of similar age peers. (Adverse Effect)			

Comments:

Item 69b

Look for: Consent to Evaluate/Reevaluate, Conference Summary/Action Notice, Review of Records/Reevaluation Summary Report

Directions:

- Mark "YES" if the ARC determined additional data is not needed for reevaluation, AND, notified the parents of their right to have their child reevaluated.
- Mark "NA" if child was initially evaluated during this school year.

	Yes	No	NA
69b. Notifies the parent(s) of the reasons the ARC is not conducting a reevaluation; AND			
Informs parent(s) of their right to request an assessment.			

Comments: