

# Guidance Document for Individual Education Program (IEP) Development

## July 2019

Reviewed Summer 2021



Revisions to guidance documents occur based on feedback the Office of Special Education and Early Learning (OSEEL) receives from the Directors of Special Education, state shareholder groups, the KDE's interpretation of law, court cases and guidance from the Office of Special Education Programs (OSEP). The OSEEL also revises guidance documents based on on-site monitoring visits, desk audits and formal written complaints.

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## Purpose of the Guidance Document for the IEP

The Guidance Document for the IEP provides instructions and examples for developing IEPs for Admissions and Release Committee (ARC) members, including chairpersons, teachers, related service providers and parents. The document is to be used in conjunction with the following:

- federal and state statutes and regulations, including Individuals with Disabilities Education Act (IDEA) statute and regulations and the Code of Federal Regulations (CFR)
- [Kentucky Revised Statutes](#) (KRS) Title XIII (Education)
- [Kentucky Administrative Regulations \(KARs\)](#)
- [Compliance Record Review Document](#)
- local district policies and procedures

The Guidance Document for the IEP is dynamic in nature. As resources emerge from the federal Office of Special Education Programs (OSEP), KDE and the Special Education Cooperatives, updates to the document will be posted on the KDE website. The document is reviewed yearly and revised as needed.

## Introduction to Standards-Based IEPs

The 1997 Reauthorization of the IDEA and the subsequent 2004 Reauthorization of [IDEA](#) mandated that students with disabilities gain access to the general education curriculum. The No Child Left Behind Act of 2001 (reauthorized as Every Student Succeeds Act in 2015) required ARCs to ensure students with disabilities have access to the general education curriculum to the greatest extent possible.

A key purpose of IDEA, as set forth in the [IDEA Regulations Part B, Subpart A, Sec. 300.1 \(a\)](#) is to “ensure that all students with disabilities have available to them a free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living.”

In 2014, the U.S. Department of Education implemented a revised accountability system under the IDEA known as [Results-Driven Accountability \(RDA\)](#). This initiative shifted the Department’s accountability efforts from a primary emphasis on compliance to a framework that focuses on improved results for students with disabilities. RDA emphasizes child outcomes such as performance on assessments, graduation rates, and early childhood outcomes.

IDEA reauthorization and initiatives at the federal level have reshaped IEP development. Kentucky adopted state standards in 2010, these were updated in 2015 as the [Kentucky Academic Standards \(KAS\)](#). The KAS for reading and writing, mathematics, health education and physical education have since been revised for the 2019-2020 school year. "Access to the general curriculum" is focused on the KAS.

For students pursuing an alternate course of study, in addition to the KAS, the resources below serve as curriculum guidance for developing IEPs based on academic, functional and transition skills.

- [Health Education and Physical Education-Curriculum Documents and Resources](#)
- [Career Studies Standards Resources](#)
- [Kentucky Alternate Assessment aligned to Kentucky Academic Standards \(KAS\)](#)
- [Kentucky Employability and Foundational Academic Standards - Alternate Assessment \(EFAS-AA\)](#)

The [Kentucky Early Childhood Standards \(KYECS\)](#) is the curriculum document for preschool. KYECS is designed as a framework to assist in understanding what children should know and be able to do from birth through four years of age. The KYECS provides a common set of expectations for young children and represents the skills and knowledge that provide the foundation for school readiness. The standards are critical for ensuring later academic success.

## Individual Education Program (IEP)

The IEP is a written program for a student with a disability who is eligible to receive special education and related services under the IDEA. The IEP describes the student's strengths and needs, and articulates measurable annual goals, specially designed instruction, related services, and supplementary aids and services required to address the educational needs of the student.

The student's ARC is responsible for developing the IEP, ensuring IEP implementation, reviewing progress toward the measurable annual goals and revising the IEP as appropriate. Parent input in IEP development and revision is an important requirement. The ARC solicits parent concerns and input through parent participation in the ARC process, or by other means, if the parent is unable to participate in the ARC meeting.

IEP and other required due process forms are found in Kentucky's Student Information System, Infinite Campus (IC). The KDE updates [IC Data Standards](#) annually.

Federal regulations (CFR) and state regulations (KAR) specify requirements for the IEP process.

1. The IEP supports learning by:
  - providing access to the general curriculum (KAS & KYECS)
  - ensuring the student will participate in developmentally appropriate activities
  - ensuring the student will make progress in the general curriculum (educationally, academically, behaviorally and functionally)
  - addressing the student's other unique educational needs
  - preparing the student for further education/training, employment and independent living

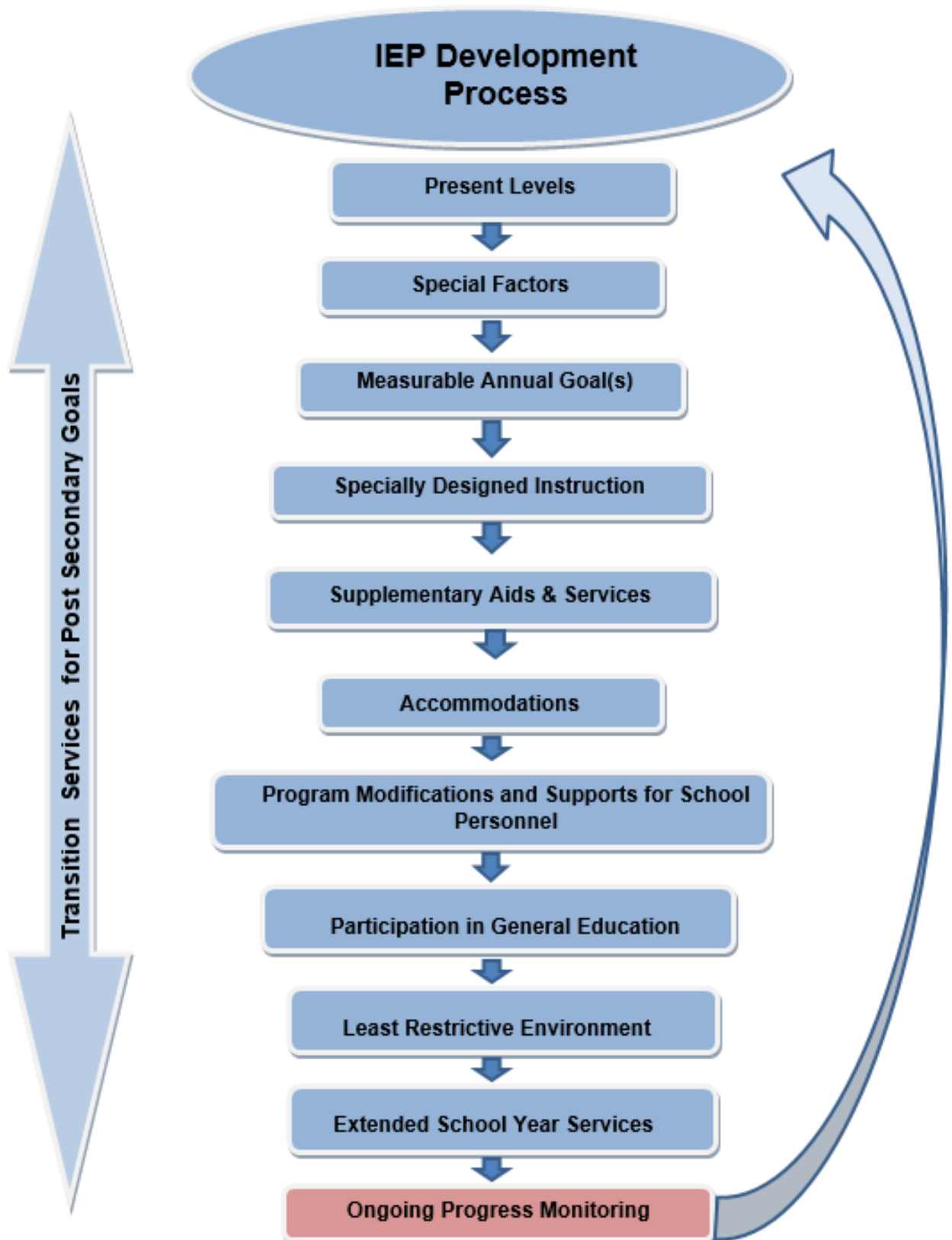
Source regulations: [707 KAR 1:320 § 5\(7\)\(b\)\(1-2\)](#); [34 CFR 300.320 \(a\)\(4\)](#)

2. At least once every 12 months (365 calendar days), the ARC reviews the IEP and accompanying ongoing progress data to determine whether the measurable annual goals are being achieved. The ARC then revises the IEP, as appropriate, to address:
  - progress towards the measurable annual goals
  - progress in the general curriculum, if appropriate
  - the results of any reevaluation (if appropriate)
  - information about the student provided by or to the parents
  - the student's strengths and anticipated needs
  - other matters

Source regulations: [707 KAR 1:320 § 2\(6\)](#); [34 CFR 300.324 \(b\)\(1\)](#)

3. The ARC shall consider in the development of an IEP:
  - the strengths of the student
  - the concerns of the parents for enhancing the education of their student
  - the results of the initial or most recent evaluation of the student
  - the academic, developmental and functional needs of the student

Source regulations: [707 KAR 1:320 § 5\(1\)](#); [34 CFR 300.324 \(a\)\(1\)](#)



# Using Student Performance Data for IEP Development

Source regulations: [707 KAR 1:320 § 5\(1\)](#), [34 CFR 300.320 \(a\)\(1\)](#), [707 KAR 1:300 § 4\(10\)](#),  
[34 CFR 300.304 \(c\)\(4\)](#)

**Student performance data** reflects student performance in both academic and non-academic areas. Academic areas may include reading, math, written language; progress in meeting measurable annual goals in the general curriculum; and performance on state, district and classroom assessments. Non-academic areas (functional performance) may include essential skills, employability skills, daily living activities, behavior, mobility, social/emotional status and mental health. Student performance data assists ARCs in making decisions about IEP development and implementation.

The ARC uses student performance data, including baseline instructional data, to:

- describe the student's present level of performance
- develop appropriate measurable annual goals
- identify appropriate specially designed instruction (SDI) and supplementary aids and services (SAS)
- evaluate and report student progress
- document implementation of the IEP
- determine the effectiveness of instructional services
- adjust SDI and SAS based on effectiveness
- determine if the student continues to need SDI and related services

## Initial Eligibility

During an initial IEP meeting, the ARC reviews available data about the student, including classroom data, the results of evidence-based interventions and formal and informal assessment data. If test scores are used, an explanation or interpretation of the scoring should be provided.

## Annual Reviews

For the development of subsequent IEPs, the ARC documents the discussion of student performance and reviews available data, including IEP progress monitoring data. Present Levels are updated based on the student's current baseline data and progress data. Present Levels cannot be copied from year to year; they must reflect accurate and current information.

The student performance data documented in the Present Levels section of the IEP may be obtained from the sources below, as well as others:

- baseline instructional data
- IEP progress monitoring data
- progress monitoring data from evidence-based interventions
- Integrated Assessment Report
- diagnostic assessments
- classroom-based assessments and work samples
- criterion-referenced tests
- data collected from observations in the areas of concern within the student's natural environment (including community and worksites)
- monitoring data from Behavior Intervention Plans (BIPs)
- Functional Behavior Assessments (FBAs)
- state and district-wide (universal screener) assessment results with age/grade comparisons
- transition assessments (for students in 8th grade or age 14 and older)
  - person-centered planning
  - individual learning plan (ILP)
  - student and parent surveys



- college and career readiness (CRR) status
- Transition Attainment Record (TAR) results
- employability skills assessment results
- Expanded Core Curriculum Needs Assessment screenings (for students with visual impairments)
- Expanded Core Curriculum Needs Assessment screenings (for students who are deaf or hard of hearing)
- English learner (EL) Program Services Plans (PSP)
- Gifted and Talented (GT) Services Plans
- Functional Hearing, Listening and Communication Assessments
- Functional Vision and Learning Media Assessments
- assistive technology evaluations
- reports from outside agencies
- Individual Family Service Plan (IFSP) data (for students from birth to age 3 transitioning from Part C)
- progress reports from First Steps providers
- data obtained relating to [Kentucky's Early Childhood Standards](#)

As a reminder, previous IEP student performance data should not be reused. The data should be obtained within the annual IEP cycle.

# Present Levels of Academic Achievement and Functional Performance

Source regulations: [707 KAR 1:320 § 5\(7\)\(a\)](#), [34 CFR 300.320 \(a\)\(1\)](#)

**Present Levels of Academic Achievement and Functional Performance** (Present Levels) provide a summary of information and data documenting what the student currently knows and can do in the following areas:

- Communication
- Academic Performance
- Health, Vision, Hearing and Motor Abilities
- Social and Emotional Status
- General Intelligence
- Transition Needs
- Functional Vision/Learning Media Assessment
- Functional Hearing, Listening and Communication Assessment

The Present Levels provide the ARC with a baseline of the student's strengths and needs. They are the foundation on which the IEP is built, and the basis for generating measurable annual goals, specially designed instruction, and supports and services to meet individual student needs. There should be a direct relationship between the information in this section and the measurable annual goals, any short-term objectives or benchmarks, and the accommodations developed and recorded in the rest of the IEP document. Copying the integrated report into the Present Levels does not provide the ARC with all the information that is necessary to accurately support the development of annual goals.

The ARC uses information from the student performance data and determines if the student is performing commensurate with similar age peers. For needs or concerns related to the student's disability, the ARC describes how the disability affects the student's involvement and progress in the general curriculum as provided in the KAS. The ARC may use information from the Kentucky Alternate Assessment aligned to KAS and EFAS-AA for students participating in the alternate assessment. For preschool students, progress in the general curriculum is defined in terms of developmentally appropriate activities, as described in the KYECS.

The Presents Levels provide the baseline for which a student's progress will be measured. Therefore, they should be written in brief, clear, specific statements that describe a student's current skill levels in measurable terms. There should be enough detail to allow an objective measure of student progress.

| Vague Phrases                            | Specific Phrases                                                                             |
|------------------------------------------|----------------------------------------------------------------------------------------------|
| is active and doesn't pay attention      | attends for 1-2 minutes during a large group activity during a ten-minute observation period |
| doesn't speak clearly                    | speaks in one-or two-word utterances 90% of the time                                         |
| has difficulty following classroom rules | follows classroom rules using visual cues 80% of the time                                    |
| doesn't follow directions                | requires a verbal and physical prompt when given one-step directives 100% of the time        |
| is weak in reading                       | reads 45 wpm on grade-level text                                                             |

## Preparation for IEP Development

In order to fully plan and consider all aspects of the student's disability, review the following prior to developing the IEP:

- the definition of the category of disability
- eligibility criteria of the disability
- characteristics of the student's disability
- how the disability adversely affects the student's educational performance
- current progress data

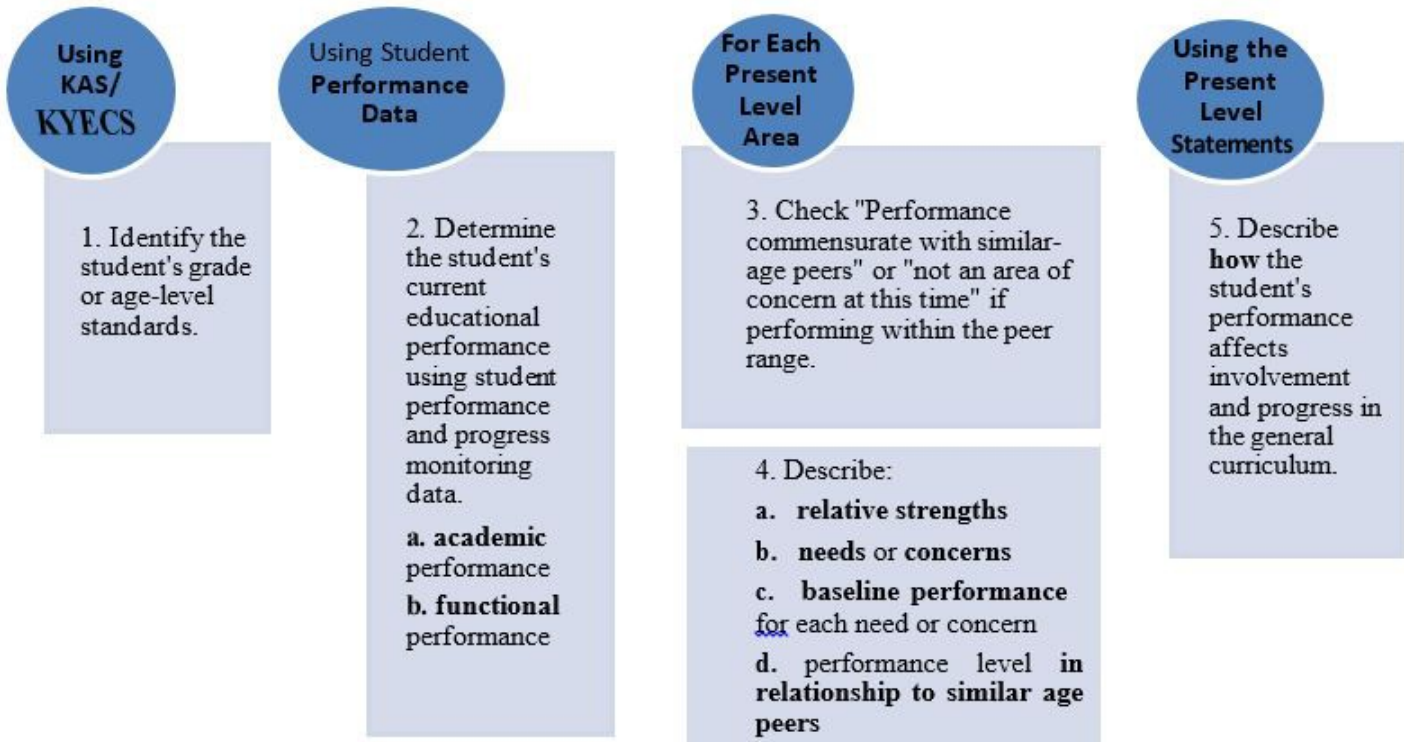
## Steps for Writing the Present Levels

Below are the general steps for writing Present Levels. The steps may be altered slightly depending on the Present Level area.

1. Using the KAS, KYECS or the Kentucky Academic Achievement Standards and EFAS-AA, identify the grade or age-level standards applicable to the student. For example, if the student is in the 5th grade, use the 5th grade KAS; if the student is in preschool, use the KYECS.
2. Using the Present Levels of the student, identify the student's current performance (baseline instructional level).
  - a. Determine the student's current academic performance (baseline instructional level) in KAS or KYECS. As needed, consider prior grade- or age-level standards to identify prerequisite skills and content needed by the student. The ARC, with teacher input and involvement, may need to drill down to analyze the discrete skills that are necessary for the student to master a grade-level standard and support the development of relevant goals to enhance student learning.
  - b. Determine the student's current functional performance (baseline instructional level). Reference additional curricular tools as appropriate.
3. If the student demonstrates "Performance commensurate with similar age peers" or the area is "not an area of concern at this time", the ARC can check the box for each Present Level area in which the student is performing within the range of academic and functional performance of non-disabled grade and age peers. If the student's performance is commensurate with grade or age peers, no additional information is required.
4. If the student's performance is *not* commensurate with similar-age peers as a result of the disability, the ARC should leave the box unchecked. If the student's performance is not commensurate, the ARC would include a description of performance level in relationship to similar-age peers as described in steps four and five below.
5. For each Present Level area where the student is not commensurate, describe:
  - relative strengths (areas in which the student performs well compared to the student's own performance overall)
  - needs or concerns (areas in which there is an adverse effect as a result of the disability) that directly correspond to the needs of the student, based on eligibility criteria and the regulatory definition of a disability category
  - baseline performance for each need or concern (this includes intervention or IEP progress monitoring data and analysis)
  - performance level in relationship to similar-age peers (e.g., indicate if the student is missing key prerequisite skills that may prevent mastering grade-level skills)

6. Adverse effect: Describe how the student's disability affects the student's involvement and progress in the general curriculum ([707 KAR 1:002, Section 1\(2\)](#))

### Steps for Completing Present Level Areas



### Questions to Consider

- How do the needs or concerns in the Present Level areas affect involvement and progress in the general curriculum?  
This includes:
  - academic areas
  - functional areas
  - transition
  - preschool developmental domain areas
- How does the disability impact the student's ability to demonstrate grade-level knowledge and reasoning or to meet early childhood standards?
- How will the student's challenges impact his/her ability to achieve proficiency?
- What are the student's barriers to achieving college/career and transition readiness?
- What supports does the student need in order to acquire and attain necessary skills to participate in grade- or age- appropriate learning activities?

The adverse effect statement can be noted in each Present Level area that is not checked as commensurate with similar aged peers or in one summary statement that incorporates all areas impacted by the disability in one Present Level section.

## Present Levels Guiding Questions

### Present Level Area: Communication Status

Communication Status includes performance in the areas of voice, fluency, receptive and expressive language (including pragmatics) and speech sound production and use. This includes any means (e.g., speech, sign language, augmentative communication) by which a student relates experiences, ideas, knowledge and feelings to others.

To establish the student's baseline performance, document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or current IEP.

### General Guiding Questions

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### Speech Sound Production and Use

- Does the student:
  - have speech that is intelligible to adults and peers?
  - participate effectively in a range of conversations with diverse partners?
  - pronounce phonemes in all positions of simple words/phrases?

### Receptive and Expressive Language

- How does the student communicate basic wants and needs?
- What is the student's primary mode of communication?  
For example:
  - sign language
  - pictures
  - Augmentative and Alternative Communication (AAC) device
- Does the student:
  - demonstrate understanding of what is said? (for example, when following directions)
  - participate in conversational turn-taking?
  - communicate through socially appropriate means for the context?
  - have purposeful verbalizations, such as:
    - making a sound to gain attention
    - expressing displeasure

### Voice

- Does the student:
  - have a hoarse or breathy vocal quality?
  - have a hyper/hypo nasal vocal quality?
  - have an appropriate vocal pitch for age and gender?
  - exhibit vocal abuse behaviors?  
Examples:
    - yelling
    - screaming
    - speaking loudly

## Fluency

- Does the student:
  - have conversational speech with a normal rate and rhythm, absent of any of the following?  
Examples:
    - frequent disfluencies
    - prolongations
    - blocks
  - exhibit any secondary characteristics when speaking?  
Examples:
    - eye blinks
    - articulatory posturing
    - squeezing fists
  - seem aware of disfluencies?

## Pragmatics

- Does the student:
  - have interest in social interactions?
  - give and take in conversation (reciprocity)?
  - adjust communication style to match the audience, such as communicating differently with a peer than an adult through tone and voice level?
  - recognize and respond appropriately to idioms or expressions?
  - recognize and understand facial expressions, body language and proximity?
  - make inferences and predict/respond to social situations?
  - seek to resolve conflicts and maintain friendships and relationships?

## Other

- Are there concerns related to feeding and swallowing?
- Does the student currently use assistive technology or special equipment to communicate?
- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?
- If the student qualifies for alternate assessment, is a communication plan in place?

## **Present Level Area: Academic Performance**

Academic Performance describes the level of development and achievement and how the student applies learning in one or more of the following areas: basic reading skills, reading comprehension, reading fluency, math calculation, math reasoning, written expression, oral expression and listening comprehension. The description may include strategies applied in learning and preferred learning styles.

To establish the student's baseline performance, document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or the current IEP.

## **Reading: General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive but rather serves as a prompt to identify current educational performance and to document baseline performance. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Preschool**

- How well does the student:
  - listen to and attend to adults who are speaking?
  - follow simple directions?
  - gain information through listening experiences?
  - listen to and respond to reading material with interest?
  - show interest and understand the basic concepts and convention of print?
  - demonstrate knowledge of the alphabet?
  - demonstrate emergent phonemic/phonological awareness?
  - draw meaning from pictures, print and text?
  - tell and retell a story?
  - follow words from left to right, top to bottom and page by page?
  - recognize and name all upper and lowercase letters of the alphabet?
  - understand the concept of words?

### **Foundational Skills Phonological Awareness**

- How well does the student:
  - apply phonemic awareness skills, i.e., phoneme manipulation, blending and segmenting?
  - use syllable patterns?
  - chunk longer words into syllables?
  - recognize rhyming words?

### **Foundational Skills Phonics and Word Recognition**

- How well does the student:
  - make words by writing letters for phonemes?
  - convert letters or letter combinations (grapheme type) to spoken sounds (spelling) and blend sounds to form recognizable words (synthetic phonics)?
  - use parts of word families to identify unfamiliar words?
  - recognize and read high-frequency words?
  - apply phonics and word analysis skills to decode unfamiliar words?
  - decode words with multiple syllables?

## **Foundational Skills – Fluency**

- Given a reading passage at the student’s instructional level, what is the fluency rate during a timed reading assessment?
- How well does the student fluently read grade-level text? (rate, accuracy and prosody)
- What is the:
  - independent level of reading for the student?
  - instructional level of reading for the student?
  - frustration level of reading for the student?

## **Vocabulary Acquisition and Use**

- How well does the student:
  - determine meaning of vocabulary including figurative and technical language?
  - use context clues to clarify the meaning of:
    - unknown words?
    - multiple-meaning words?
    - phrases?
  - recognize word relationships?
  - use roots and affixes?
  - use inflection?
  - acquire and use:
    - academic words in informational and literary texts?
    - domain-specific words?

## **Comprehension – Text Complexity**

- Based on the text complexity grade bands, what is the student’s current independent level Lexile range? How does the current Lexile range compare to same-age peers?
- How well does the student:
  - demonstrate understanding of multiple levels of meaning of literary texts?
  - demonstrate understanding of informational text where the purpose is explicitly or implicitly stated?
  - comprehend when the text is structured through ranges from low to high complexity?
  - acquire and use words from grade-appropriate texts?  
Examples:
    - general academic words in informational and literary texts
    - domain-specific words and phrases
  - access and engage in grade-level texts?

## **Comprehension – Informational Text**

- How well does the student:
  - determine the meaning of academic and domain-specific words within grade-level text?
  - effectively engage in collaborative classroom discussions on grade-level topics?
  - ask and answer explicit and implicit questions about the text?
  - draw inferences from the text?
  - cite details and text evidence to support the student’s inferences drawn from a text?
  - retell with details?
  - retell/summarize a text?
  - determine the central message/main idea of text?
  - identify the structure of the text and analyze how the parts relate to each other and to the whole?
  - compare and contrast important points from multiple texts?



- Given a grade-level text, how does the student:
  - gain information from the text?
  - determine the general meaning of academic and domain specific words and phrases within grade-level text?
  - participate in classroom discussions about the subject?

### **Comprehension – Literary Text**

- How well does the student:
  - determine the meaning of words and phrases in a text?  
Examples:
    - metaphors
    - similes
  - compare and contrast specific details within a text?
- Does the student consistently provide textual evidence to support inference from the text by:
  - quoting text?
  - citing sources?

### **Other**

- What does the intervention or progress monitoring data indicate about the student's performance when using assistive technology?  
Examples:
  - adapted passages
  - text readers
  - visual supports
- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?

## Written Expression: General Guiding Questions

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### Preschool

- How well does the student:
  - understand that communication is the purpose of writing?
  - produce marks or pictures and symbols that represent print and ideas?
  - explore the physical aspects of writing?

### Purpose, Audience and Idea Development

- How well does the student:
  - produce a variety of writing types, including argumentation/opinion, informational/explanatory and narrative piece?
  - create a specific purpose throughout a piece of writing with relevant ideas to fully develop the purpose?
  - develop ideas specific to the purpose?
  - create elaborate, relevant ideas?
  - cultivate audience awareness throughout, specific to the purpose?

### Structure

- How well does the student:
  - produce a variety of sentence types for meaning and style?
  - produce coherent paragraphs with supporting details to introduce a topic?
  - use a logical sequence of ideas?
  - use components of the writing process?
    - Examples:
      - planning
      - drafting
      - conferencing
      - revising
      - editing
      - rewriting
      - trying a new approach
  - understand how to organize the piece of writing?
    - Examples:
      - introduction
      - paragraphs
      - conclusions to meet the purpose of the piece of writing
  - use transition to affect the overall flow of the piece of writing?
  - produce a sentence with a complete thought, as appropriate for the grade level?

## **Language and Conventions**

- How well does the student:
  - write using complete and varied sentences?
  - demonstrate understanding of word meanings, including the relationship between particular words?
  - apply appropriate grammar and conventions of standard English?
  - use print or digital reference materials for precise use and meaning of words?

Examples:

- dictionary
- glossary
- thesaurus
- demonstrate understanding of word meanings, including the relationship between words?

Examples:

- apply appropriate capitalization rules and end punctuation for effect
- use age-appropriate standard grammar and usage when writing
- correctly use punctuation
- print upper- and lower-case letters

## **Use of Technology**

- How well does the student:
  - use technology to produce and publish writing?
  - use technology to conduct research projects to narrow a focus based upon generated questions?
  - use technology to gather information from various sources and integrate information into the writer's own work?
  - utilize current assistive technology or special equipment to produce written work?

## **Mathematics: General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance in multiple settings. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Make Sense of Problems and Persevere in Solving Them**

- How well does the student:
  - explain the meaning of a problem and find an entry point to a solution, rather than immediately computing an answer that may not make sense?
  - try several approaches to solving a problem or stick with the problem for more than one attempt?

### **Reason Abstractly and Quantitatively**

- How well does the student:
  - convert context situations into mathematical equations in order to solve problems?
  - explain the solution within the context of the problem?
  - give meaning to quantities in a problem and create a logical representation of the problem?

Examples:

- visual models
- symbols
- concrete materials

### **Construct Viable Arguments and Critique the Reasoning of Others**

- How well does the student:
  - explain thinking for the solution, using appropriate vocabulary?
  - engage in a mathematical discussion with peers and ask questions if a solution does not make sense?
  - find and explain mistakes in peers' thinking or strategies?

### **Model with Mathematics**

- How well does the student:
  - apply math to solve problems in everyday life?
  - represent a problem mathematically by using tables, graphs, equations or other representations?
  - make connections between various representations of mathematics?

### **Use Appropriate Tools Strategically**

- How well does the student:
  - select and use appropriate tools to solve problems?  
Examples:
    - manipulatives
    - graphing calculator
    - protractor
    - graph paper
  - explain his or her reasoning for selections?

**Attend to Precision**

- How well does the student:
  - calculate efficiently and accurately?
  - label quantities, graphs or diagrams appropriately when solving problems?
  - use symbols and mathematical language appropriately?

**Look for and Make Use of Structure**

- How well does the student:
  - use mathematical structures to solve problems?  
Examples:
    - decomposing numbers by place value
    - working with properties
    - finding relationships between addition/subtraction
  - find mathematical patterns to help solve problems?

**Look for and Express Regularity in Repeated Reasoning**

- How well does the student:
  - discover patterns or repetition that lead to generalizations?
  - create exploratory questions that assist in assessing the reasonableness of the results, especially intermediate results achieved in the problem-solving process?

**Present Level Area: Health, Vision, Hearing, Motor Abilities**

Health, Vision, Hearing, Motor Abilities include information regarding the student's relevant health or physical needs. This information is typically provided through screening information and by health care providers, including physical and occupational therapists.

To establish the student's baseline performance, document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or from current IEP.

**General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance in multiple settings. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

**Orientation and Mobility**

- Does the student:
  - have difficulty detecting drop offs, bump into objects when traveling or look down for extended periods when walking?
  - stop, slow down or shuffle feet when moving from bright to dim light or from dim to bright light?
  - have age-appropriate skills for traveling independently in a variety of environments?  
Examples:
    - school
    - community
    - familiar settings
    - unfamiliar settings
  - request assistance when needed in travel?

**Health or Medical Issues**

- Does the student have a health or medical condition? If yes, describe how this adversely affects the student's performance.
- Based on available documentation, what is the student's medical diagnosis?
- Do health-related issues affect the student's behavior?

**Pharmacological Issues**

- Does the student currently take medications?
- What is the purpose of each medication?
- Does the medication cause side effects or adverse reactions?
- What are the effects of the medication on the student's educational performance?

**Vision Condition**

- Does the student have a vision or eye condition?
- What is the student's near and distant best corrected acuity?
- Does the student's vision condition/visual acuity meet the regulatory definition of blindness?
- Does the student have a color vision impairment?
- Does the student have a field loss?
- Is the student's eye condition stable, deteriorating or uncertain?
- Were glasses prescribed?

- Are lighting modifications required?
- Is physical activity restricted?
- (See the Functional & Vision Learning Media Assessment section for additional questions.)

### **Hearing Issues**

- Does the student have a hearing loss?
- Describe the nature and degree of student's hearing loss.  
(See the Functional Hearing, Listening and Communication Assessment section for additional questions.)

### **Motor Issues**

- Does the student have motor issues that impact educational performance, such as the ability to sit, stand and move within the classroom, the school building, the community or at worksites (high school students)?
- Does the student carry belongings or supplies while navigating school or when going place to place, i.e., within school, community, or worksite (high school students)?
- Does the student safely access the playground and a variety of playground equipment?
- Does the student maintain a stable posture when:
  - sitting on the floor during group instruction?
  - sitting at table/desk while listening to instruction or while performing fine motor tasks?
  - standing in line with peers during transition?
- Describe the student's ability to make transfers such as:
  - to and from the wheelchair
  - to and from the floor
  - to chair
  - to toilet
- Does the student have difficulty with:
  - using classroom materials (scissors, ruler)?
  - holding a pencil (poor grasp, drops frequently)?
  - using both hands to complete a task (holding paper to cut, placing items in a book bag)?
  - picking up small objects (cubes, finger foods)?
  - managing fasteners on clothing (zippers, buttons, snaps)?
  - using utensils?
  - opening containers at lunch?
  - using a combination or key lock?
  - carrying a tray?
  - managing a notebook (opening/closing rings, putting papers in folder)?
- Does the student have difficulty with visual-motor/handwriting tasks?  
Examples:
  - drawing, tracing, coloring and cutting
  - forming readable letters
  - keeping letters a consistent size and between the lines
  - spacing between letters and words
  - copying from the board
  - copying from paper
  - writing with functional speed/fluency
  - using a keyboard/mouse
  - aligning numbers/decimals

- Does the have difficulty with visual perception tasks? Examples:
  - letter/number reversals
  - working puzzles
  - keeping place when reading
  - tracking from left to right
- Does the student have difficulty with sensory motor skills?  
Examples:
  - keeping boundaries/personal space
  - making noises
  - bumping into objects
  - fearing movement activities or being off the ground
  - using too little or too much force (slamming doors; too hard or too light pencil pressure)
  - avoiding lights, sounds, smells or textures
  - seeking sensory stimulation or sensory defensiveness
  - staying alert in class (drowsy, head on table, slouching in chair)

### **Other**

- How does the student's medical condition result in limited strength, vitality, alertness or endurance?
- Does the student require assistance with activities of daily living (dressing, toileting, feeding)?
- Does the student require specific equipment for toileting, dressing or feeding?
- Does the student's medical condition restrict activity at school?
- Do mobility issues require safety precautions (bus, playground, gym)?
- How does the student currently use assistive technology or special equipment?
- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?



## **Present Level Area: Social and Emotional Status**

Social and Emotional Status includes information about the student's social skills, interpersonal behavior, self-regulating behaviors, sensory self-regulation, emotional behavior, organization and executive skills, independent living skills, and the impact of the lack of environmental access/mobility skills.

To establish the student's baseline performance, document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or current IEP.

### **General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance in multiple settings. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Preschool**

- How well does the student:
  - accept redirection from an adult?
  - respond to others' expression of emotions?
  - make friends?
  - interact with same-age peers?Examples:
  - playing alongside
  - initiating or joining in positively with a small group
  - participating in group situations- sustain working on activities (avoid minimal distractions)?
- identify feelings, likes and dislikes?
- delay gratification?
- manage separation?
- ask for help to resolve problems?
- imitate how others solve problems or provide ideas for solving problems?
- follow limits and expectations independently (classroom rules, routines)?
- make transitions within activities, the classroom, school building or school campus?
- follow directions?
- participate in everyday classroom activities?
- seek to do things for self?
- accept being told "no?"

### **Social Communication**

- How well does the student:
  - demonstrate interest in social interactions?
  - give and take in conversation (reciprocity)?
  - communicate needs, make requests and ask for help?
  - adjust communication style to match audience (i.e., communicates with peers differently than adults, such as in use of tone or voice level)?
  - recognize and respond appropriately to idioms and expressions?
  - recognize and understand facial expressions, body language and proximity?
  - make inferences and predict/respond to social situations?
  - seek to resolve conflicts and maintain friendships and relationships?

## **Trauma-Related Guiding Questions**

- Does the student show any evidence of the following?
  - being overwhelmed
  - hyperarousal
  - cognitive distortions
  - explosive/reactive behaviors
  - hypervigilant behaviors
  - anxiety or nervousness
  - irrational or extreme fears

## **Interpersonal Relationships**

- How does the student:
  - interact with peers (social conversation, group activities)?
  - interact with adults?
  - build and maintain friendships?
  - display interpersonal behaviors?Examples:
  - accepting authority
  - coping with conflict
  - gaining attention
  - making conversation
  - playing in organized and informal activities
  - engaging others
  - respecting property (own or others)

## **Executive Functioning – Self Regulation**

- How does the student demonstrate self-regulating behaviors?  
Examples:
  - accepting consequences
  - displaying ethical behavior
  - expressing feelings
  - showing a positive attitude toward self
- How does the student respond to challenges?  
Examples:
  - using appropriate voice tones
  - tolerating frustration
  - employing anger management strategies
  - curbing aggression
  - acting out
  - withdrawing from others
  - using stress management strategies
  - adjusting to social, school, community and work environments
- Does the student employ sensory or self-regulation skills?  
Examples:
  - using a stress ball
  - taking quiet time
  - walking away from a stressful situation
  - applying the elements of an individual sensory diet

## **Executive Functioning – Organization**

- Does the student apply organizational skills?

Examples:

- attending to task
- sustaining attention
- ignoring distractions
- managing impulsive behaviors
- bringing materials to class
- completing homework
- managing multi-step assignments or projects
- employing self-advocacy/determination skills
- following a schedule
- asking and answering questions
- participating in class discussion
- following directions
- completing independent work
- performing before others
- following rules
- following routines
- following movement patterns
- How well does the student apply organizational skills across multiple settings (home, school, community, workplace)?

**Making Transitions**

- How well does the student make transitions within the classroom, school building or school campus?
- How well does the student make transitions within the community and worksites?

**Other**

- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?
- How does the student currently use assistive technology or special equipment (timer/stopwatch for pacing, video self-modeling)?

## **Present Level Area: General Intelligence**

General Intelligence includes information about the student's aptitude, application of knowledge, thinking, memory, reasoning and problem-solving skills.

To establish the student's baseline performance, document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or current IEP.

### **General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance in multiple settings. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data. Rather than just focusing on a particular IQ score, consider more broadly how the student's cognitive skills impact the current level of educational performance.

#### **Preschool**

- How well does the student:
  - persist in completing tasks?
  - recognize and recall items from previous experience?
  - remember sequence of routines?
  - return to task at hand after being distracted or interrupted?
  - attend and engage in tasks?

#### **Environment**

- How well is the student:
  - aware of surroundings?
  - able to interact with the environment (physically or visually)?
  - able to independently navigate surroundings with or without assistance/adaptive equipment?
  - able to demonstrate basic awareness of cause/effect?

#### **Attention/Memory**

- How well does the student:
  - attend to and copy from a model?
  - follow single- or multi-step directions?
  - demonstrate retention of information (day-to-day versus over time)?
  - utilize strategies to help with recall (mnemonics, graphic organizers, highlighting)?
  - copy efficiently from the board or text (visual scanning/memory)?
  - take notes while listening (auditory memory)?
  - process information (processing speed)?

#### **Application of Knowledge/Information**

- How well does the student:
  - generalize information learned across settings?
  - comprehend versus relying on rote recall?
  - match or sort by attribute (size, shape or color)?
  - understand cause and effect?
  - answer "what if" questions?
  - make inferences based on information?
  - sequence information?
  - sequence events?
  - complete patterns?

- make predictions?
- respond to explicit instruction (repetition, visuals, auditory)?

**Other**

- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?

## **Present Level Area: Transition Needs**

Beginning when the student is in 8th grade or has reached the age of 14 (whichever comes first), the Transition Needs area focuses on the needs related to the student's planned course of study. By age 16, the focus is also on transition services to assist the student in reaching postsecondary goals and prepare for life after high school.

Document the student's strengths and most recent transition assessment data. Transition needs include the following areas:

- instruction
- related services
- community experience
- development of employment
- post-school adult living objectives
- acquisition of daily living skills, if appropriate
- provision of a functional vocational evaluation, if appropriate

## **General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance in multiple settings. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Instruction**

- How is the student currently performing in daily living and career work experience courses?
- Is the student punctual to classes?
- Does the student attend school on a regular basis?
- Will the student's IEP goals help the student achieve their postsecondary plans and interests?
- What transition services can be added to help the student reach their postsecondary plans and interests? (i.e., self-advocacy skill, personal banking, work-related social skills, computer skills.)
- What employment skills does the student need to pursue future postsecondary plans and interests?

### **Related Services**

- What transition services are being targeted by related service providers to prepare the student to meet the postsecondary goal(s)?
- Is assistive technology required to allow the student to meet the postsecondary goal(s)?

### **Community Experience**

- How is the student currently performing during instructional experiences within the community or at a worksite?
- Does the student currently participate in work-based learning when offered?
- Are community-based experiences necessary to assist the student in achieving postsecondary outcomes?
- Does the student know how to access transportation?
- Does the student participate in community or extracurricular activities?
- Has the student participated in any volunteer work?

## **Preparation for Employment**

- How is the student currently performing the skills needed to live independently and be employed?  
Examples:
  - opening a bank account
  - interviewing for a job
  - writing a resume
  - budgeting
- Does the student currently participate in job shadowing activities?
- Does the student have any work experience? If so, what is the student's current type of work experience and performance level?
- Does student complete assigned tasks independently?
- Does the student accept corrective feedback?
- Does the student follow routine and procedures?
- Does the student manage transitions independently? If not, what supports are needed?

## **Post-School Adult Living Objectives**

- Is the student self-directed?
- Does the student have self-advocacy skills?
- What transition agencies does the student currently access to help the student meet the postsecondary goal(s)?
- Does the student know the difference between rights and privileges?

## **Acquisition of Daily Living Skills (if applicable)**

- How does the student meet daily living needs?  
Examples:
  - preparing meals
  - budgeting
  - caring for clothing
  - personal grooming
- If the student takes medication, is the student able to follow a medication schedule?

## **Specific to Kentucky Department of Juvenile Justice (DJJ) Facilities**

- What community experiences should be provided for the student?
- If the student has been in a facility for an extended period of time, consider the gaps in knowledge that may exist related to employment opportunities, independent living and participating in the community.

## **Functional Vocational Assessment (if applicable)**

- Is a functional vocational assessment needed to determine the student's strengths, abilities and needs in a work setting?
- What are the student's strengths, abilities and needs in a work setting, based on functional vocational assessment results?

## **Present Level Area: Functional Vision and Learning Media Assessment**

Functional Vision and Learning Media Assessment is a summary of the assessment findings, which identifies the impact a student's visual impairment has on his/her educational performance. The summary identifies current and future media that will provide access to learning for the student.

Document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or current IEP, to establish baseline.

### **General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Vision Condition**

- What is the student's eye condition?
- What is the student's near and distant best corrected acuity?
- Does vision meet the regulatory definition of blindness?
- Does the student have a color vision impairment?
- Does the student have a field loss?
- Is the student's eye condition stable, deteriorating or uncertain?
- Were glasses prescribed?
- Are lighting modifications required?
- Is physical activity restricted?
- Has the student been diagnosed with cortical visual impairment (CVI)?
- If the student has CVI, has a CVI Range been completed? If so, what is the score?

### **Functional Vision**

Note: For students who are totally blind or function as blind, a discussion of functional vision may not be relevant to the student's needs.

- How does the student use vision to access the environment (classroom, hallway, cafeteria, outside, home)?
- Describe observations of near, intermediate and distant visual tasks?  
Examples:
  - visual behaviors
  - viewing distances
- Describe the physical appearance of the student's eyes and note any abnormalities.

### **Learning Media**

- What is the student's primary reading medium (regular print, print with magnification, large print, digital books or braille)?
- What is the suggested minimum font size?
- What is the student's current word-per-minute rate when reading text?
- What assistive technology devices does the student use and in what capacity?
- Is the student's handwriting legible? For students who are blind, can the student sign name using a signature guide?
- What is the student's primary reading medium (objects/symbols, print with magnification, large print, or



braille and tactile graphics)?

- Does the student have a secondary reading medium?
- For braille readers, does the student use uncontracted or contracted braille?
- For braille readers, does the student use Unified English Braille (UEB) for both literary braille and math, or is Nemeth code used for math?
- Describe the student's listening comprehension skills.

### **Expanded Core Curriculum**

- Does the student exhibit needs in one or more of the following nine areas as a student with a visual impairment?
  - compensatory or functional academic skills, including communication modes
  - orientation and mobility
  - social interaction skills
  - independent living skills
  - recreation and leisure skills
  - career education
  - use of assistive technology
  - sensory efficiency skills
  - self-determination

### **Other**

- For students with Cortical Visual Impairment (CVI), where does the student score on the CVI Range?
- What does the data indicate about the student's performance when using assistive technology?
- Was a clinical low vision evaluation conducted? If so, what were the results? What low vision devices were recommended?
- Describe the CVI characteristics demonstrated by the student.
- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?

## **Present Level Area: Functional Hearing, Listening and Communication Assessment**

Functional Hearing, Listening and Communication Assessment is a summary of the information which identifies the impact a student's hearing impairment has on the student's educational performance. It identifies current and future supports, accommodations and assistive technology that will provide access to learning for the student.

Document the student's strengths and most recent evaluation or assessment data, including progress monitoring data from interventions or current IEP, to establish baseline.

### **General Guiding Questions**

The following questions guide the development of the Present Levels. The list is not exhaustive, but rather serves as a prompt to identify current educational performance and to document baseline performance. Select questions that are relevant to the student's needs related to the disability, based on current intervention or IEP progress monitoring data.

### **Functional Hearing and Listening**

- What are the student's speech awareness thresholds (SATs)?
- What are the student's speech reception thresholds (SRTs)?
- What are the results of the student's speech discrimination assessments?

Examples:

- audiological exam/assessment
- Northwestern University Children's Perception of Speech (NU-CHIPS)
- Word Intelligibility by Picture Identification (WIPI)
- Does the student consistently wear a personal amplification system?
- Does the student report when a personal amplification system is not working properly?
- What are the student's functional listening skills?
- Does the student require visual supports or speech reading?
- Does the student require visual access to the speaker or the sound source for comprehension?

Examples:

- Smartboard
- video
- television
- To what degree does the distance from the speaker, background noise or both affect the student's ability to understand auditory information?
- What noise-reducing accommodations are needed to support access to auditory information?
- Does the student need an enhanced signal-to-noise ratio? If so, what type of equipment is used?

Examples:

- ear level FM/DM system
- classroom sound field system
- Does the student consistently use a personal amplification system?

Examples:

- hearing aid(s)
- FM system
- Does the student have cochlear implants?

- How does the student's hearing loss impact auditory functioning in the school/classroom setting? Sources may include a Functional Listening Evaluation, audiological assessment or non-standard measures, such as speech perception and auditory skills assessments or other checklists/rating scales.

### **Functional Communication as Related to Hearing Loss**

- What is the communication mode or modes used by the student?
- What are the student's expressive and receptive communication needs?

Examples:

- American Sign Language (ASL)
- conceptual signs
- Conceptually Accurate Signed English (CASE)
- English Sign System
- Manually Coded English such as:
  - Signed English or Signing Exact English
  - fingerspelling
  - gestures
  - oral/spoken English
  - tactile
  - written English
  - pictures
- Describe how the student communicates with peers, teachers and professional personnel.
- Describe the communication repair strategies the student uses with peers and adults (e.g., asks for clarification, repetition, rephrasing, seats self appropriately, advocates for communication needs).

### **Expanded Core Curriculum**

- Does the student understand the hearing loss? Is the student able to explain the hearing loss to others?
- Is the student able to explain how different acoustic environments impact the ability to hear, listen or understand?
- Can the student advocate for needs related to hearing loss?
- Describe the social-emotional needs of the student related to the hearing loss.
- Describe the student's use of pragmatic language skills. Can the student participate in turn-taking, in a small group or class discussion and express self appropriately in social settings?
- Is the student responsible for the equipment (report when it isn't working, keeping it charged, changing batteries, taking it to classes)?
- If needed, does this student know how to use interpreters, captioning or other means?

### **Other**

- Describe how the student gains access (through interpreters, captioning, text-to-text interpreting, closed captions) to information presented in the classroom (oral, printed and video)?
- What assistive technology device(s) does the student use and for what purpose(s)? Describe the data used to determine this need.
- What behavior(s) does the student exhibit that is different from peers?
- When is the student most likely to exhibit the behaviors?
- What might the student be communicating through the behavior?
- What function(s) does the behavior serve for the student and what are the consequences of the behavior?
- What supports promote successful behavior for the student?

# Consideration of Special Factors for IEP Development

Source regulations: [707 KAR 1:320 § 5\(2\)](#), [34 CFR 300.324\(a\)\(2\)](#)

The ARC addresses each area below and considers these issues in the review and revision of the IEP. The needs or concerns described in Present Levels align with and support the information included in the Special Factors section.

## Behavior

This question applies to students with any category of disability. If a student's behavior impedes his or her learning or that of others, the ARC must develop strategies, including positive behavioral interventions, to address the behavior. Strategies may include a Functional Behavior Assessment (FBA) and a Behavior Intervention Plan (BIP), behavioral contract or social skills instruction, as appropriate.

The ARC documents the supports in the IEP and indicates the type of service in the Statement of Devices/Services section. Refer to behavior questions in each area of the Present Levels section of this guidance document.

Behavioral needs should be integrated and documented throughout the IEP as a part of planning for the student. Students of any age and or disability eligibility area may have behavioral needs and concerns that need to be discussed and addressed by the ARC and included in the student's IEP. Behavioral concerns may also trigger a district's and an ARC's responsibilities in accordance with the [Child Find](#) provisions of IDEA.

## General Guiding Questions

The following questions may guide the ARC when making special considerations to determine the student's needs regarding behavior:

- What behavior(s) does the student exhibit that is different from those of similar-age, non-disabled peers?
- When is the student most likely to engage in the inappropriate behavior?
- What specific events appear to be contributing to the student's problem behavior?
- What function(s) does the problem behavior serve for the student?
- What might the student be communicating through problem behavior?
- When is the student less likely to engage in the problem behavior?
- Does the student's behavior problem persist despite consistently implemented behavioral management strategies?
- Does the student's behavior place the student or others at risk of harm or injury?
- Have the student's cultural norms been considered relative to the behavior(s) in question?
- Does the student's disability affect the student's ability to control the behavior?
- Does the student's disability affect the student's understanding of the consequences of the behavior?
- What accommodations are necessary for instruction and testing?
- Does an FBA need to be completed?
- Has an FBA been completed in the past?

### **Specific to Department of Juvenile Justice (DJJ) Facilities**

Behavior plans are often in place for students within state agency education (SEA) programs. When the student transitions from a DJJ facility into a comprehensive school setting, the ARC should consider if the behavior plan should be continued or revised for the student to be successful in the new setting. This information should be included under the special factors section of the IEP in the area of behavior.

ARC discussion about the identified short-term and or long-term needs of the student for a positive, successful transition from a DJJ facility to a comprehensive school setting should be an integral part of the planning for the student. Discussion should also be documented in the Conference Summary and Special Factors section of the IEP.

### **English Learner**

(See [English Learner and Immigrant Students](#))

For a student who is an English learner (EL), the ARC considers the language needs described in the student's EL Program Services Plan (PSP) as related to the student's disability. The ARC considers the student's level of English Language Proficiency (ELP), including conversational skills and academic language proficiency. In Kentucky, a student's ELP is measured annually using the [ACCESS or Alternate ACCESS test](#).

The ARC must consider the student's level of ELP in listening, speaking, reading and writing to support and reinforce the implementation of the IEP. The ARC must discuss and document its analysis of the student's ELP as it relates to the student's disability. This applies to students under any category of disability.

### **General Guiding Questions**

An IEP for a student who is an EL identifies the student's unique cultural, linguistic and home language needs and how those needs are related to the IEP. The following questions may guide the ARC when making special considerations to determine the student's needs regarding EL:

- What is the relationship of language needs to the IEP?
- What language will be used for this student's instruction?
- How does the student's level of linguistic development and proficiency impact how the team will develop and select measurable goals that are appropriate for the student?
- How can the IEP ensure meaningful access to the general education curriculum through alternative language services and special education services?
- How can the IEP provide cultural relevance in the curricular framework?
- What language or mode of communication will be used to effectively communicate with and involve the student's parents and family?
- How do resources of the school need to be configured to support the student's first and second language needs?
- What accommodations are needed for instruction and testing?
- Is there a member of the IEP Team who has expertise regarding the student and understands how language develops as well as strategies that can be used when educating a student with English as a second language?

### **Blind or Visually Impaired**

For a student who is blind or visually impaired, the ARC considers the need for braille instruction. The ARC assumes that the student will receive instruction in braille unless appropriate assessments support that braille is not an appropriate learning medium for the student now or in the future. The Learning Media Assessment and Eye Medical Statement provide critical information about the student's current and future need for braille instruction.

## General Guiding Questions

The following questions may guide the ARC when making special considerations to determine the student's needs for blind or visually impaired supports.

- Is instruction in braille needed?
  - Mark "Yes" in IC if instruction in braille is needed for reading or writing. Examples:
    - functional braille
    - pre-braille readiness
    - literary braille
    - Nemeth braille
    - music braille
  - Mark "No" in IC if the student is a print reader with a stable eye condition based on the FV/LMA and eye medical statement.
  - Mark "No" in IC if a student communicates solely through objects, symbols or pictures.
- Is the use of braille needed?
  - Mark "Yes" in IC if the student is receiving instruction in braille or if the student is proficient in the use of braille.
  - Mark "Yes" in IC if the student uses braille as a secondary medium.
  - Mark "No" in IC if the student communicates solely through objects, symbols or pictures.
  - Mark "No" in IC if the student is a print reader with a stable eye condition based on the FV/LMA and eye medical statement.
- Will braille be the student's learning medium?
  - Mark "Yes" in IC if the student will use braille for reading and writing.
  - Mark "No" in IC if braille is a secondary literary medium.
  - Mark "No" in IC if print is the primary medium for literary communication.
  - Mark "No" in IC if objects, symbols or pictures are the primary medium for literary communication.
- What accommodations are necessary for instruction and testing?
- Does the student need instruction in orientation and mobility?
  - O&M services are not included in this section in IC. However, this can be documented in the Statement of Devices and Services under Other.
  - If appropriate, O&M Services should also be documented in the Related Services Section of the IEP.

## Communication

For students with communication needs, the ARC addresses the student's language and communication needs in the areas of disfluencies (stuttering, blocks, prolongations or repetitions) impaired articulation, language impairment, voice impairment, delayed acquisition of language or an absence of language.

## General Guiding Questions

The following questions may guide the ARC when making special considerations to determine the student's communication needs:

- What communicative demands does the student have?
- Does the student have the skills and strategies necessary to meet communicative demands?
- What accommodations are necessary for instruction and testing?
- Does the student have speech sound production errors?
- Does the student have language deficits?
- Does the student have pragmatic deficits?
- Does the student require assistive devices to aid in the development and use of meaningful language, to provide a mode of communication, or both?

## **Deaf or Hard of Hearing**

For a student who is deaf or hard of hearing, consider the student's language and communication needs and opportunities for direct communication with peers and adults in the student's language and communication mode.

### **General Guiding Questions**

The following questions may guide the ARC when making special considerations to determine the student's needs regarding deaf or hard of hearing supports:

- Does the student use American Sign Language?
- What mode of communication does the student use?
- Is an interpreter needed for the student to participate in and benefit from classroom instruction or interaction with peers and adults?
- Does the student require assistive devices to facilitate the development and use of meaningful language and communication?
- Are there opportunities for the student to participate in direct communication with peers and adults?
- What opportunities exist for direct instruction (without an interpreter) in the student's language or mode of communication?
- Does the student use or need to learn to use assistive technology to help in developing social skills?
- What accommodations are necessary for instruction and testing?

## **Assistive Technology**

This question applies to students with any category of disability who need assistive technology. The ARC must determine the type(s) of device(s) and, if applicable, the amount of services needed. The ARC documents the needed assistive technology in the IEP and indicates the type in the Statement of Devices/Services section. (See [Appendix D](#) for the definition of "assistive technology" and other terms.)

### **General Guiding Questions**

The following questions may guide the ARC when making special considerations to determine the need for assistive technology:

- What can the student do now with and without assistive technology?
- Does the student require assistive technology:
  - to access the general curriculum or to participate in non-academic and extracurricular activities?
  - to benefit from educational/printed materials?
  - to access auditory information?
  - for written communication/computer access?
  - for augmentative communication?
  - to participate in state and districtwide testing?
  - to participate in work-based learning experiences?
- Will the student, staff or both need training to facilitate the student's use of the assistive technology?
- How can assistive technology be integrated into the student's program across settings such as school, home, community and worksites?

## Measurable Annual Goals

Source regulations: [707 KAR 1:320 § 5\(7\)\(b\)](#), [34 CFR 300.320 \(a\)\(1-4\)](#)

Measurable annual goals are statements of anticipated results to be achieved in a calendar year, or sooner, as determined by the ARC. Measurable annual goals are not written to restate the content standards, but rather to specify skills or strategies that will promote accessing the general curriculum and aid the student in meeting achievement standards during the next twelve months.

These goals should be designed to meet the needs resulting from the student's disability in order to make progress in the general curriculum. The goals must be appropriately ambitious in light of the student's circumstances and consider the student's potential for growth.

Annual goals must not involve simply copying the IEP goal from one school year to the next. If a student is not mastering a goal, the goal may not be appropriate. *Endrew F. v. Douglas County School Dist.* RE—1, 580 U.S. (2017) requires that annual IEP goals be “appropriately ambitious” so that the student makes progress when considering the unique circumstances of the student. Failure to do so may result in a denial of a Free Appropriate Public Education (FAPE) for the student. When the same IEP goal is repeated from one school year to the next, it raises the question as to whether the goal adequately meets the “appropriately ambitious” standard such that the student is being provided with a FAPE. The ARC must review the student's progress data to determine why progress is not being made and make the appropriate adjustments.

The IEP is not intended to reflect the student's entire curriculum. The IEP should promote the learning skills the student needs to develop to achieve greater mastery and understanding of the general curriculum content and build independence.

Measurable annual goals are directly related to the student's needs based on the disability as described in the Present Levels. Measurable annual goals are focused on bridging the gap from where the student is (baseline) to where the student needs to be (goal) and address both academic and functional skills. Each measurable annual goal must have enough detail to allow for objective measurement. Avoid combining multiple skill deficits into one measurable annual goal. Combining multiple skill deficits into the same annual goal makes it difficult to measure each variable and make accurate determinations of the student's level of progress.

Measurable annual goals need to pass the “stranger test.” If the student transitions from one teacher to another, the receiving teacher should be able to immediately implement the measurable annual goal. Copying and pasting a standard from the KAS, KYECS or the EFAS-AA aligned to the KOSSA into a student's IEP without including the components of the goal will not suffice as a measurable annual goal.

### Steps for Writing Standards Based Measurable Annual Goals

1. Identify baseline data for areas of need in the Present Levels.
2. Prioritize the skill area(s) that will have the most powerful impact on moving student performance from the current instructional level toward the identified grade and age-level standards. The number of measurable annual goals is influenced by the student's pace of learning as demonstrated by previous progress data. Levels of modeling, guided practice and generalization instruction should all be considered when developing measurable annual goals. ARCs have a dual responsibility to address access to and progress in the general curriculum, and to remediate skills that are below grade level.
  - What skill area(s) does the student need to improve to access and progress in the general curriculum?
  - What skill area(s) warrant remediation to advance the student toward grade- or age-level standards as well as promote access and progress in the general curriculum?



- What other factors influence the prioritization of measurable annual goals (e.g., the number of years left in school)?
- What behavior is most modifiable? What are the parent and student interests that have a positive impact on the family (e.g., toileting skills, leisure activities)?

3. Write measurable annual goals to address the prioritized skill area(s). Include the following components in each goal:

- **Audience** - State the student's name.
- **Behavior** - What observable action will the student perform?
- **Circumstance** - Describe the instructional materials/circumstances used to teach and measure the stated behavior.
- **Degree/Criterion** - How well must the student perform the skill?
- **Evaluation/Method of Measurement** - How will the implementer measure student progress? Determine the tool/resource/assessment used to measure student progress.
- **Frequency of data collection** - How frequently will data be collected (daily, weekly, twice a month, monthly)

Using a template such as the one provided below can help ensure that all required elements are included in the measurable annual goal.

**Audience** - student name

| Audience | Behavior | Circumstance | Degree/Criterion | Evaluation/Method of Measurement | Frequency of data collection |
|----------|----------|--------------|------------------|----------------------------------|------------------------------|
| Mary     |          |              |                  |                                  |                              |

**Behavior** - an explicit statement of what the student will do. Observable behavior can be measured, seen, heard, counted or timed. Examples:

- will read
- will pronounce
- will write
- will gaze
- will read orally
- will orally define

| Audience | Behavior           | Circumstance | Degree/Criterion | Evaluation/Method of Measurement | Frequency of data collection |
|----------|--------------------|--------------|------------------|----------------------------------|------------------------------|
| Mary     | will orally define |              |                  |                                  |                              |

(See [Appendix A](#) for examples of measurable verbs.)

**Circumstance** - a description of the instructional materials/circumstances used to teach and eventually assess/measure the stated behavior. The circumstance is the cue, direction or situation which prompts the behavior. Examples:

- when engaged in peer interaction in a non-structured setting during a 15-minute period
- when engaged in a non-preferred activity for 5 minutes
- when presented with 10 two-digit division problems
- given 20 content-related vocabulary words
- given 10 sight words
- when presented with 2 objects
- when given a picture prompt
- when given a physical prompt
- during hallway transitions
- during free choice center time
- when engaged in work-based learning at a worksite

| Audience | Behavior           | Circumstance                                   | Degree/Criterion | Evaluation/Method of Measurement | Frequency of data collection |
|----------|--------------------|------------------------------------------------|------------------|----------------------------------|------------------------------|
| Mary     | will orally define | when given 20 content-related vocabulary words |                  |                                  |                              |

**Degree/Criterion** - a description of the expected minimum level of success within 12 months, and how consistently the student must perform the skill. Examples:

- 92% accuracy for 3 consecutive opportunities
- 18/20 correct for 4 consecutive probes
- score of a 3 on a 5-point rubric for 4 written assignments

| Audience | Behavior           | Circumstance                                   | Degree/Criterion                               | Evaluation/Method of Measurement | Frequency of data collection |
|----------|--------------------|------------------------------------------------|------------------------------------------------|----------------------------------|------------------------------|
| Mary     | will orally define | when given 20 content-related vocabulary words | 18/20 words correctly for 4 consecutive probes |                                  |                              |

**Evaluation/Method of Measurement** - how the implementer measures the student progress toward reaching each measurable annual goal. Examples:

- scoring rubric
- checklist
- oral reading fluency probes
- frequency count

| Audience | Behavior           | Circumstance                                   | Degree/Criterion                               | Evaluation/Method of Measurement | Frequency of data collection |
|----------|--------------------|------------------------------------------------|------------------------------------------------|----------------------------------|------------------------------|
| Mary     | will orally define | when given 20 content-related vocabulary words | 18/20 words correctly for 4 consecutive probes | checklist                        |                              |

**Frequency of Data Collection-** how often the implementer will collect data on the measurable annual goal (daily, weekly, monthly). Examples:

- as measured twice weekly
- as measured weekly
- as measured daily
- as measured bi-monthly

Effectiveness of instructional methods and services is determined most efficiently when progress is measured frequently (i.e., daily, weekly, once every two weeks).

| Audience | Behavior           | Circumstance                                   | Degree/Criterion                               | Evaluation/Method of Measurement | Frequency of data collection |
|----------|--------------------|------------------------------------------------|------------------------------------------------|----------------------------------|------------------------------|
| Mary     | will orally define | when given 20 content-related vocabulary words | 18/20 words correctly for 4 consecutive probes | checklist                        | weekly                       |

When given 20 content related vocabulary words, Mary will orally define 18/20 words correctly for 4  
(Circumstance) (Audience) (Behavior) (Degree/Criterion)  
consecutive probes as measured by weekly checklist.  
(Frequency) (Evaluation Method)

Given these Circumstances (C), Student (A) will perform Behavior (B) with the goal of meeting the Degree/Criterion (D) as measured with Frequency (F) using the method of Measurement (E).

## Method(s) of Measurement

Source regulations: [707 KAR 1:320 § 5\(13\)\(a\)](#), [34 CFR 300.320 \(a\)\(3\)\(i\)](#)

**Evaluation/Method of Measurement** refers to how the implementer measures the student progress toward each measurable annual goal. The selected method of measurement needs to be practical and yield information that can be easily analyzed.

Four general methods of measurement used for Progress Monitoring are:

- curriculum-based measurement
- direct measures
- indirect measures
- authentic assessment

When documenting Method of Measurement on the IEP, both the general method of measurement as well as the specific tool(s) used should be specified. For example, an oral reading fluency probe (a specific assessment tool) would also be considered a curriculum-based measurement (general method of measurement).

**Curriculum-Based Measurement (CBM)** is an approach using probes to measure the growth of student proficiency. Probes are samples collected over a brief period of time that measure academic skills from the general curriculum. CBM is standardized to provide valid and reliable indications of student progress. Examples of CBM:

- oral reading fluency probe – measurement of the student’s rate, accuracy, phrasing and intonation
- math computation probe – measurement of math computation skills (accuracy toward completion of addition, subtraction, and multiplication, and division of whole numbers, fractions and decimals)
- math concepts and applications probe – measurement of math reasoning skills (accuracy toward performance of place value, time, money, charts, graphs and problem-solving)

**Direct Measures** involve direct observation of performance and repeated recordings of student response. (Student must be present for these measures.) Examples of direct measures:

- frequency count/event recording – number of times a behavior occurs during a specific, consistent time period
- time sampling/interval recording – number of intervals in which a behavior occurs
- duration recording – measurement of how long the behavior occurs between initiation of response and conclusion
- latency recording – measurement of time between a prompt and start of the task
- scatterplot – a chart used to determine patterns of targeted behavior(s) related to a specific class or school activity across time (For example, a schedule may be divided into 15-minute increments during a two-week period for charting occurrence of the target behavior.)
- ABC recording (analysis) – antecedent, behavior, consequence
- anecdotal recording – narrative recording of events occurring during a specific time or setting (Note: This approach must always be paired with another method of measurement.)
- checklist – a list of specific behaviors used to measure consistency and completeness in carrying out a task (i.e., refers to observable behavior and is a direct measure)
- running record – tool used to measure oral reading decoding skills

**Indirect Measures** involve using scoring criteria to review student performance without observing the student during the performance. Examples of indirect measures:

- rubric – a scoring guide that describes performance on a scale from desired performance to undesired performance
  - uses both qualitative and quantitative descriptions

- may be either analytic, by assessing components of a finished product, or holistic, by assessing student's work as a whole
- goal attainment scaling – a scoring guide to rate student performance on a point scale from least to most favorable
- teacher interview – summary of teacher input toward student performance on a given behavior in a structured format (to be included with additional methods of measurement)
- checklist – list of specific behaviors used to measure consistency and completeness in carrying out a task (i.e., as an indirect measure, refers to a permanent product such as work samples, as opposed to observed behavior)
- employer/employment specialist interview – summary of employer/specialist input toward student performance on essential skills or employability skills checklist in worksite setting
- scoring guide (point value to determine percent correct from selected responses and short answers)
- permanent product – actual products of a targeted skill/behavior (point value to determine percent correct within selected responses and short answers)
- teacher-made tests – tests and other measures that are planned, assembled, written or otherwise prepared by teachers for use with particular groups of students
- student self-monitoring – documents student behavior through self-reporting

**Authentic Assessment** measures a student's performance in tasks and situations that resemble real-life tasks and situations. **Note:** This approach must be paired with another method of measurement. Examples of authentic assessment:

- student interview/conference – student input on his or her performance toward a targeted skill/behavior
- oral interview – a structured format through development of key questions to assess the student's attainment of skills and to identify misconceptions
- portfolio – documentation of student performance through a collection of work samples demonstrating specific outcomes
- work samples – evidence of student performance through actual student work (writing entries, math computations, projects, audio recordings of student reading, responses to questions)
- annotation – a statement included within a student work sample that indicates student performance toward a targeted skill

## **Benchmarks/Short-Term Instructional Objectives**

Source regulations: [707 KAR 1:320 § 5\(7\)\(c\)](#), [34 CFR 300.320\(a\)\(2\)\(ii\)](#)

IDEA regulations only address the student's progress toward measurable annual goals. However, other federal regulations—and Kentucky regulations—require benchmarks or short-term objectives for students with disabilities who participate in the Alternate Assessment program, which is aligned to alternate achievement standards.

District policies and procedures provide guidance regarding the selection of benchmarks or short-term objectives.

**Benchmarks** are increments of learning which demonstrate progress toward the measurable annual goal.

**Short-Term Objectives** are intermediate steps, which break measurable annual goals into discrete, measurable skill components. Like a measurable annual goal, a short-term objective consists of six components:

- Audience
- Behavior
- Circumstance
- Degree/Criterion
- Evaluation/Method of Measurement
- Frequency of data collection

Benchmarks/short-term objectives must relate directly to the measurable annual goal and provide a means of measuring progress toward the goal; however, they do not account for every skill or increment of instruction associated with the measurable annual goal. The ARC should break down a measurable annual goal into discrete skills that will help a student make progress toward achieving the measurable annual goal (task analysis).

### **The Number of Benchmarks or Short-Term Objectives**

The ARC is not required to develop a specific number of short-term objectives or benchmarks for a measurable annual goal. The number is based on the needs of the student and the instructional goal. Benchmarks/short-term objectives must relate directly to the measurable annual goal and provide a means of measuring progress toward the goal.

The number of objectives or benchmarks is influenced by the student's pace of learning as demonstrated in previous progress data. Students needing intense levels of modeling, guided practice and generalization instruction may require lengthier periods of time to reach an objective or benchmark.

### **Construction of Benchmarks or Short-Term Objectives**

Benchmarks or short-term objectives may be constructed in different ways:

- subcomponents of the whole
- discrete skills within the whole
- gradual increase in the level of mastery or competence (increasing the difficulty of the material)
- gradual increase in the complexity of circumstance (structure of the setting where the student demonstrates the skill or fading of review prior to demonstration of the skill)
- gradual decrease in supports (fading prompts from full physical to partial physical to verbal to visual)

## Postsecondary Transition

Source regulations: [707 KAR 1:320 § 7](#), [34 CFR 300.320 \(b\)](#)

The transition planning process is student-centered, student-driven and embedded throughout the IEP process. Transition services are a coordinated set of activities that are updated annually. In Kentucky, the process of planning postsecondary transition services begins when the student is in the 8th grade or age 14, whichever occurs first. The student must be invited to each ARC meeting in which transition services are to be discussed. See [KDE's Transition Resources Webpage](#) for additional information.

Coordinated transition activities:

- are results-oriented
- focus on improving the student's academic and functional achievement
- facilitate the student's movement from school to postsecondary school activities
- are based on the results of age-appropriate transition assessments
- consider the student's needs, strengths, preferences and interests

### Transition Assessments

The first step in IEP development for students age 14 or older begins with transition assessments. The transition assessments must be age appropriate, i.e., the measures must reflect the student's chronological age rather than developmental age.

Assessments may include:

- Individual Learning Plan (ILP) career assessments
- 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
- transition planning inventories
- learning style inventories
- student/parent surveys or interviews
- vocational assessment
- student portfolio
- career aptitude

The ARC utilizes information collected from transition assessments to develop the Present Level areas, postsecondary goals, measurable annual goals, SDI and SAS. The ARC documents the discussion of transition assessments in the Conference Summary.

### Transition Service Needs

For students in the 8th grade or age 14 and older, a multi-year course of study aligned with the student's individualized learning plan (ILP) is developed. This course of study indicates the courses to be taken from the current year through the student's expected year of exiting high school and is designed to assist the student in reaching postsecondary goals. The ARC documents the discussion of the multi-year course of study in the Conference Summary.

By the student's 16th birthday, or earlier, if appropriate, a statement of needed transition services—including

strategies/activities to assist the student to obtain the postsecondary goal(s)—is documented in the Present Levels section of the IEP. Transition needs include the following areas:

- instruction (including work-based learning experiences)
- related services
- community experience
- preparation for employment (including work-based learning experiences)
- post-school adult living objectives
- acquisition of daily living skills, if appropriate
- provision of a functional vocational evaluation, if appropriate

### **Postsecondary Goals**

By the student's 16th birthday, or earlier, if appropriate, measurable postsecondary goals are developed. The postsecondary goal aligns to transition assessments and must include the student's future plans for education/training, employment and, if appropriate, independent living skills. Postsecondary goals must be measurable and intended to occur after graduation. (See [KDE Transition Resources](#) for detailed examples and recommendations.)

Template for Postsecondary Goal for Education/Training and Employment:

After graduation, \_\_\_\_\_'s goal is to \_\_\_\_\_ in order to \_\_\_\_\_.  
Student Name                      Education/training behavior                      Specific employment goal

Template for Postsecondary Goal for Independent Living:

After high school, \_\_\_\_\_'s goal is to \_\_\_\_\_.  
Student Name                                              Independent living behavior (i.e., where and how)

Examples for Training/Education and Employment:

1. After graduation, Malik's goal is to enroll in courses at the Community and Technical College in order to work in the field of medical technology as a lab technician.
2. After graduation, Jodi's goal is to enroll in a job training program in order to work as a cashier at the local hardware store.
3. After graduation, John's goal is to receive on-the-job training in order to work as a car assembly technician at the local manufacturing plant.

Examples for Independent Living:

1. Upon completion of high school, Makayla's goal is to be able to independently prepare for work each day, including dressing, making her bed, making her lunch and accessing transportation.
2. After high school, Marty's goal is to receive specialized training in academic, functional and occupational preparation from Vocational Rehabilitation to be able to work in supported employment.

### **Transition Services and Agency Responsible**

By the student's 16th birthday, or earlier, if appropriate, the ARC documents the transition services needed by the student to reasonably enable the student to reach postsecondary goals. The ARC discusses and documents, whether the student needs transition services and activities (instruction, related services, community experiences and work-based learning) as part of the IEP, to prepare the student for adulthood.

If an outside agency is to provide postsecondary services, that agency is invited to the ARC meeting. The ARC must obtain signed consent from the parent or emancipated youth prior to inviting the outside agency. If the ARC determines it is not necessary to invite an outside agency, the ARC documents the decision in the Conference Summary.



## Transition Service Examples:

### Transition Services and Agency Responsible (By age 16, or younger, if appropriate and thereafter)

| Transition Service                                                                                    | Agency Responsible        |
|-------------------------------------------------------------------------------------------------------|---------------------------|
| multi-year course of study as outlined in ILP                                                         | high school/district      |
| opportunity to attend transition fair or career fair at school or in the community                    | high school/district      |
| information about supported employment agencies and services                                          | high school/district      |
| opportunities to practice completing job applications and interviewing skills                         | high school/district      |
| Vocational Rehabilitation will determine eligibility for Office of Vocational Rehabilitation services | Vocational Rehabilitation |
| Opportunities for work-based learning experiences at school or in the community                       | high school/district      |

### Measurable Annual Goals Related to Transition Service Needs

By the student's 16th birthday, or earlier, if appropriate, the ARC must determine how the measurable annual goal(s) relate to the student's transition service needs. If the IEP includes only one measurable annual goal, the goal must address both education/training and employment. If the IEP includes more than one measurable annual goal, education/training must be addressed in one or more of the measurable annual goals and employment must be addressed in one or more of the measurable annual goals:

- education/training (required)
- employment (required)
- independent living (if applicable)

### For the IEP to be in effect by the child's 16th birthday and thereafter:

This annual goal will reasonably enable the student to meet the student's postsecondary goal in the area(s) of:

☐ Education/training                      ☐ Employment                      ☐ Independent living

When developing the IEP, the ARC should discuss the anticipated date of graduation or aging out and document the discussion in the conference summary.

## **Age of Majority**

Source regulations: [707 KAR 1:320 § 5\(14\)](#), [34 CFR 300.320\(7\)\(c\)](#)

At least one year prior to the student reaching the age of majority, the IEP includes a statement that the student and parent have been informed the student's rights will transfer to the student. In Kentucky, the age of majority is 18 years of age.

Sample statement:

One year before the student reaches age 18, the student and parent have been informed of the student's rights under Part B of the Individuals with Disabilities Education Act, if any, that will transfer on reaching the age of majority. Date student was first informed of the transfer of rights: \_\_\_\_\_

## **Reporting Progress**

Source regulations: [707 KAR 1:320 § 5\(13\)\(b\)](#), [34 CFR 300.320\(a\)\(3\)\(ii\)](#)

The ARC must determine when periodic progress reports will be provided to the parents. The student information system IC provide the following options:

### **Reporting Progress**

- ☐ Concurrent with the issuance of Report Cards
- ☐ Other: Specify:

## **Specially Designed Instruction**

Source regulations: [707 KAR 1:002 § 1\(58\)](#), [34 CFR 300.39 \(a\)\(1\)\(2\)\(i\)](#), [707 KAR 1:320 § 5\(8\)](#), [34 CFR 300.320\(a\)\(4\)](#)

Specially Designed Instruction (SDI) is “what the teacher does” to instruct, assess and re-teach the student. The SDI describes how the teacher adapts the content, the methodology or the delivery of instruction to address the unique needs of a student with a disability to ensure access to the general curriculum. While SDI must be provided by a special education teacher or qualified related service provider, SDI is planned, designed and may be delivered through an integrated and collaborative format or model.

### **Specially designed instruction is:**

- necessary for the student to make progress toward the measurable annual goal, rather than merely beneficial
- planned, designed and initially delivered by a special education teacher, or a speech-language therapist (only if the student’s category of disability is speech/language)
- instruction required to a degree or at an intensity not available to all students
- instruction required for the student to learn to use an assistive technology device, material, strategy or service

### **Specially Designed Instruction Examples:**

- time-delay strategies
- modeling how to respond to visual prompts
- direct braille code instruction
- pre-teaching critical information and vocabulary instruction in social skills strategies
- articulation strategies
- fluency strategies
- transferring from a wheelchair
- planning a sensory diet
- orientation and mobility strategies time delay

(For additional examples, see the [IEP and Lesson Plan Development Handbook](#).)

### **The Role of the Special Education Teacher**

SDI must be provided by a teacher who is certified in special education. A general education teacher who is not appropriately certified in special education must not be the sole implementer of SDI. However, a general education teacher may work with a special education teacher to implement SDI with students for whom they share responsibility.

In a co-teaching setting, the special education teacher must take the lead in the planning, designing, initial delivery and monitoring of the SDI outlined in the student’s IEP. The general education teacher supports SDI after initial delivery by the special education teacher. The general education teacher may replicate and extend SDI to provide for generalization of targeted skills and behaviors in the general education environment.

Paraprofessionals serve an important supportive role, acting under the direct guidance and supervision of a special education teacher. However, paraprofessionals are not to provide SDI, as they are not certified teachers. ARCs must plan for and districts must provide adequate training for paraprofessionals so that they can effectively fulfill the duties expected of them in the supportive role (i.e., review or reinforcement of skills or concepts). The special education teacher must routinely monitor student performance to ensure that the student is making appropriate progress toward measurable annual goal(s) during supportive activities conducted by a paraprofessional.

## Supplementary Aids and Services

Source regulations: [707 KAR 1:002 § 1\(61\)](#), [34 CFR 300.42](#), [707 KAR 1:320 § 5\(8\)](#), [34 CFR 300.320\(a\)\(2\)\(4\)](#)

Supplementary Aids and Services (SAS) are “what the student needs” in order to learn. SAS includes strategies, aids, services and other supports provided in the general education environment or other educational settings to gain access to the general curriculum. The decisions for SAS are supported by student performance data and are based on student needs related to the disability, and are necessary for the student to make progress toward measurable annual goals. By definition, a student with an IEP requires SAS due to the adverse effect of the disability. As such, this section may not be left blank. “None needed” is not an acceptable response.

Supplementary Aids and Services are needed for the student:

- to advance appropriately toward attaining measurable annual goal(s)
- to be involved and make progress in the general curriculum
- to participate in extracurricular and other non-academic activities
- to be educated and participate with other students with and without disabilities
- to participate in work-based learning

Examples of SAS provided to the student/on behalf of the student:

- visual prompts
- previewing questions
- advanced organizers
- listening guides
- large print materials
- braille
- reader
- scribe
- manipulatives
- extended time (e.g., double time or time and a half)
- interpreter
- reinforcement and behavior modification strategies
- paraphrasing
- calculator
- use of technology
- scaffolding

For additional examples, see the [IEP and Lesson Plan Development Handbook](#).

## Assessment Accommodations

Source regulations: [703 KAR 5:070](#), [707 KAR 1:320 § 5\(10\)](#), [34 CFR 300.320 \(a\)\(6\)](#)

The ARC may identify assessment accommodations for the student to participate in state-required assessments, district-wide assessments and classroom assessments, if they are used consistently as a part of the student's routine instruction.

For additional information, see the [Alternate K-Prep Training and Resources](#) and the [Guidance for ARCs on Participation Decisions for the Kentucky Alternate Assessment](#).

ARC decisions for assessment accommodations are supported by student performance data documented in the IEP:

- Present Levels
  - a comparison of the student's performance using an accommodation and without using an accommodation (For example, student answers 10 out of 15 questions correctly on a grade-level text with a reader. Student then answers 2 out of 15 questions correctly without a reader on a grade-level text.)
- Measurable Annual Goals
  - a measurable annual goal to support the accommodation (a goal in the area of reading if the student has a reader)
- Specially Designed Instruction
  - SDI to support the accommodation (instruction in how to use a reader, instruction in reading decoding, instruction in how to use a tactile display calculator)
- Supplementary Aids and Services
  - SAS to support the accommodation (reader)

Accommodations shall be individualized and specifically designed to aid the student as the student learns, then faded or reduced as the student gains/demonstrates increased skill and greater independence. Accommodations are related to the individual student's needs and the impact of the disability on specific areas of learning.

Accommodations are a part of the student's regular instructional routine and are **not** used or introduced only for the purpose of the state-required assessment.

### General Conditions for Using Accommodations

The ARC determines which accommodations, if any, are necessary to provide individualized support to students based on current supporting data/evidence. The ARC determines if the accommodations are effective and how to fade the accommodations, as appropriate.

- For many students, accommodations may be considered transitional strategies and must be faded as the student gains the skills necessary for an independent level of academic performance.
- Accommodations do not impact the content validity being measured.
- Accommodations are age-appropriate and clearly described.
- Accommodations are for the purpose of the student accessing the general education curriculum.
- Accommodations allow students to demonstrate what they know and are able to do.
- Accommodations are based on the individual needs of the student, not on a disability category.
- Accommodations do not substitute for high-quality instructional practices.
- Evaluation information and ongoing progress data support the need for accommodations in the specified area of need.
- Accommodations are part of the student's ongoing instructional program and are not introduced immediately prior to the state-required assessments.
- Technology should be the first accommodation considered, before human accommodation (e.g., a reader or scribe).

### **Conditions for Specific Accommodations**

There are a variety of accommodations that may be appropriately used for students with disabilities on the state-required assessments, district-wide assessments and classroom assessments. Examples:

- use of assistive technology
- manipulatives
- reader
- scribe
- calculator
  - Any calculator other than a standard calculator should be specified under “Other, specify:”
  - See the [KDE Unapproved Calculator Guidance Document/KDE Calculator Use Policy \(Grades 3-8\)](#) for more information.
- paraphrasing
- extended time
- reinforcement and behavior modifications strategies
- interpreter for students who are deaf or hard of hearing

## Alternate Assessment

For more detailed information, please see [Alternate K-PREP Resources](#) on the KDE website.

The ARC determines annually if the student meets all criteria for eligibility for the Alternate Assessment, using the [Kentucky Alternate Assessment Participation Guidelines](#). The discussion is documented in the Conference Summary and the decision is documented in the IEP.

ARCs must consider a student's individual characteristics when determining whether a student with a disability should participate in the general assessment, with or without accommodations, or in the alternate assessment.

As reflected in the Kentucky Alternate Assessment Participation Guidelines, to participate a student must meet all of the following criteria:

1. **The student has an individualized education program and receives special education services.** Review of the eligibility determination forms and current individualized education program indicates that the student is eligible.
2. **The student has a significant cognitive disability.** Review of student records indicate a disability or multiple disabilities that significantly impact the intellectual functioning and adaptive behavior essential for someone to live independently and to function safely in daily life.
3. **Exclusions were considered.** The ARC decision for the student to participate in the Alternate Assessment is not primarily the result of:
  - excessive or extended absences
  - visual or auditory disabilities
  - emotional-behavioral disabilities
  - specific learning disabilities
  - speech and language impairment
  - native language, social, cultural, and economic differences
  - English learner (EL) status
  - pre-determined poor performance on the grade-level assessment
  - disruptive behaviors or emotional duress of the student during testing
  - administrator decision, educational environment or instructional setting
4. **The student requires extensive direct individualized instruction and substantial supports to achieve measurable gains in the grade- and age-appropriate curriculum.** Across multiple settings, the student:
  - requires extensive, repeated, individualized direct instruction and support that is not of a temporary or transient nature
  - requires intensive accommodations, modifications and assistive technology to access and make progress in the KAS and to acquire, maintain, generalize, demonstrate and transfer skills

The student will receive instruction based upon Kentucky alternate achievement standards while participating in the alternate assessment. All data sources reviewed can be verified with supporting documentation.

Procedures for the Inclusion of Special Populations in State-Required Assessment and Accountability Programs (see [703 KAR 5:070](#)) were revised and approved in December of 2016. Further information and resources on this topic are posted on KDE's [Assessments Regulations Training](#) webpage.

## Program Modifications and Supports for School Personnel

Source regulations: [707 KAR 1:320 § 5\(8\)](#), [34 CFR 300.320\(a\)\(4\)](#)

The ARC identifies program modifications and supports **for school personnel** that are provided in order for the student to:

- advance appropriately toward attaining the measurable annual goals
- be involved and progress in the general curriculum
- participate in extracurricular and other non-academic activities
- be educated and participate with other students with and without disabilities

**Program Modifications** include the use of school time and use of school staff. These modifications may include changes to the environment to address individual health needs, actions taken by personnel to minimize distractions or adult support needed for activities such as toileting, feeding, dressing or transitions.

**Support for school personnel** may involve specialized training for any staff who come in contact with the student, including bus drivers, paraprofessionals, general and special education teachers, related service providers and cafeteria workers.

Teacher consultation is a support for school personnel. Consultation occurs when a special education teacher or related service provider meet on a regularly scheduled basis with a general education teacher regarding the instructional needs (academic or behavioral) of a student with an IEP. Consultation is provided to coordinate and plan supports to extend SDI into the general education setting. This typically happens as the student is working toward generalization of measurable annual goals across settings. Consultation may also include monitoring student's use of equipment, programs, assistive technology devices or augmentative communication devices, adapting the physical environment or modifying educational materials. Consultation may occur between related service providers, special education teachers, general education teachers, instructional assistants, paraprofessionals, bus drivers, bus monitors, cafeteria workers, etc., and any other school personnel who come in contact with the student.

When a student is maintaining expected progress with the appropriate supports in the general education setting, the ARC should develop and implement a plan for promoting student independence and the fading of supports and services. This plan may include consultation, with a possible release from special education as the goal. Consultation minutes should be documented in this section of the IEP in specific, measurable terms.

Examples:

- Speech-language pathologist (SLP) will consult with general education teacher, special education teacher, and instructional assistants for 60 minutes the first week of school to train team on use of augmentative communication device and update student's device to include pictures of the new classroom, staff, school and school schedules.
- Occupational Therapist will meet with new middle school team teachers prior to the beginning of each related arts class to ensure the teacher is aware of the student's sensory diet/plan.

When the ARC determines that consultation is appropriate, consultation is documented and described in the Program Modifications and Supports for School Personnel section of the IEP. Consultation is not included in the Special Education Services section of the IEP. It is also important to note that accommodations and SAS are not considered program modifications or supports for school personnel.

If the ARC determines no program modifications and supports for school personnel are needed, the ARC documents that none are needed at this time.



**Examples of Program Modifications (across all settings):**

- private/supervised environment for addressing individual health needs (catheterization)
- school staff will minimize distractions, for example covering distractible items within sight during whole group instruction
- adult support across all settings (toileting, feeding, dressing, transitions)

**Examples of Supports for School Personnel:**

- Teachers and assistants will be trained on the use of the communication system.
- School personnel will be oriented to a highly structured behavior support program.
- Consultation between the Speech/Language pathologist and general education teacher or special employment specialist regarding use of the communication system once per quarter.
- Consultation between the special education teacher and employment specialist regarding supports needed for work-based learning.
- The special education teacher will consult on a monthly basis with the social studies and science teachers to promote John's independent use of graphic organizers.
- School personnel (classroom teacher, instructional assistant, related services personnel) will be trained on visual supports.
- Staff training, including bus staff, on seizure protocol and emergency evacuation.
- School personnel will be trained in the use of safe physical management techniques.
- Consultation between the classroom teachers and the DJJ staff regarding the student's progression through the behavior system.
- School personnel oriented to the structured behavior support program.

## **Least Restrictive Environment**

Source regulations: [707 KAR 1:350](#), [34 CFR 300.114](#)

**Least Restrictive Environment (LRE)** means that, to the maximum extent appropriate, students with disabilities are educated with students who are non-disabled. Special classes, separate schools or removal from the general education environment occurs only if education in the general education environment, with the use of supplementary aids and services, cannot be satisfactorily achieved due to the nature and severity of the disability.

The ARC must consider the continuum of placement options to meet the needs of students with disabilities for special education and related services. The continuum includes:

- instruction in the general education setting (with co-teaching)
- special classes (resource or self-contained settings)
- special schools
- home instruction
- instruction in hospitals/institutions

A student's LRE is:

- determined at least annually
- based on the student's IEP
- as close as possible to the student's home

Unless the IEP of a student with a disability requires some other arrangement, the student shall be educated in the school the student would attend if non-disabled. Districts shall not move students to a school that is not age-appropriate, based on administrative convenience—for example, due to the lack of teaching staff at other locations.

In selecting the LRE, consideration is given to any potential harmful effects on the student or on the quality of services. A student shall not be removed from an age-appropriate general education setting solely because of needed modifications in the general curriculum. The ARC must also ensure a student with an IEP participates with non-disabled children in non-academic and extracurricular services and activities to the maximum extent appropriate.

LRE decisions are based on the student's needs, the student's expected outcomes and the educational program. The ARC discusses placement for delivery of the IEP services, and documents the LRE decision in five places:

- IEP LRE section
- IEP Special Education Services section
- Related Services section
- Conference Summary, Placement Options and Decisions section
- Conference Summary, Consideration of Potential Harmful Effects section

### **Specific to DJJ Facilities**

When the setting documented on the IEP is a hospital or institution, the ARC must consider the continuum of placement options within that setting to meet the needs of students with disabilities. The ARC must make individualized placement decisions. The ARC may not routinely place students with disabilities in correctional facilities in classes that include only students with disabilities. Acceptable alternatives include having special education and general education teachers co-teach in the regular classroom or having a special education teacher teach within a resource setting.

The examples below illustrate options for documenting placement decisions in the IEP.

### **Least Restrictive Environment (LRE) and General Education**

Explain the extent, if any, to which the student will not participate in general education (content area):

#### **Two options for writing the LRE statement:**

- For a student who receives most 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

**General Education:** Math, Social Studies, Science, Related Arts

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

**Special Education:** Language Arts

**Co-Teaching:** Language Arts

**General Education:** Math, Social Studies, Science, Related Arts

- For a student who receives speech services only, the explanation may state: Bobby will participate in all general 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 setting. **OR**

**Special Education:** Speech

**General Education:** All Core Content Classes

- For a student who receives all educational services in general education classes with co-teaching for Language Arts, the explanation may state: Sandi will participate in all general education classes with co-teaching in language arts. **OR**

**Co-Teaching:** Language Arts

**General Education:** Math, Social Studies, Science, Related Arts

- For a student who participates most of the day in the resource setting, the explanation may state: 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 setting. **OR**

**Special Education:** All Core Content Classes

**General Education:** Electives

- For a student who participates in a social skills program, the explanation may state: Joe will receive all core content instruction within the general education environment. He will be removed from the general education environment daily during non-core content classes for social skills instruction. **OR**

**Special Education:** Social Skills Instruction

**General Education:** All Core Content Classes

## Special Education Services

Source regulations: [707 KAR 1:320 § 5\(12\)](#), [34 CFR 300.320\(a\)\(7\)](#)

**Special Education Services** are the SDI services identified through the development of the IEP. Upon completion of the IEP, the ARC determines the frequency and duration of services, the service provider and the location in which the services will be delivered.

Note: Teacher consultation is documented and described in the Supports for School Personnel section of the IEP. Consultation should not be included in the Special Education Services section of the IEP.

1. **Service Minutes/Duration:** List the number of minutes the service will be provided per session in each service period. This is the anticipated amount of time in terms of minutes, hours or blocks of time.
  - In a special education setting, list the number of minutes a student is present. The special education teacher is solely responsible for instruction.
  - In a co-teaching setting (general education classroom), list the number of minutes for SDI. Service minutes may not be the whole class period. Service minutes represent a subset of time within the class period needed to provide SDI to a specific student, within the larger curricular framework planned for the entire general education classroom.
2. **Service Frequency:** Document how often the student will receive the services per service period.
3. **Service Period:** Identify the service period as daily, weekly or monthly.
4. **Start Date:** List the date (month/day/year) the services will begin.
5. **End Date:** List the date (month/day/year) the services are anticipated to end.
6. **Service Provider:** Select the position of each person responsible for implementing the services from the service provider drop-down list.

Note: The co-teaching service delivery is provided by a general education and special education teacher in the general education setting. (SDI is initially delivered by the special education teacher and extended by the general education teacher.)

7. **Location:** Identify the setting (general education classroom, resource room, separate class) in which the service(s) will be provided. Include the content class (ELA, Math) in which the student will receive SDI.

## IEP Special Education Services

These samples illustrate options for documenting special education service decisions.

| Special Education | Anticipated Frequency and Duration of Service |                                                                    |                                                      |            |           | Service Provider<br>(by position) | Location<br>(general education classroom, resource room, separate class)             |
|-------------------|-----------------------------------------------|--------------------------------------------------------------------|------------------------------------------------------|------------|-----------|-----------------------------------|--------------------------------------------------------------------------------------|
|                   | Service Minutes<br>(per service frequency)    | Service Frequency<br>(number of times provided per service period) | Service Period<br>(daily, weekly, monthly, annually) | Start Date | End Date  |                                   |                                                                                      |
|                   | 60 minutes                                    | 1 time                                                             | per day                                              | 9/16/2019  | 9/15/2020 | special education teacher         | resource room for reading                                                            |
|                   | 35 minutes                                    | 1 time                                                             | per day                                              | 9/16/2019  | 9/15/2020 | special education teacher         | general education setting, co-teaching math<br>2 of 3 trimesters (60-day trimesters) |
|                   | 20 minutes                                    | 4 times                                                            | per week                                             | 9/16/2019  | 9/15/2020 | special education teacher         | general classroom, co-teaching for ELA                                               |
|                   | 30 minutes                                    | 2 times                                                            | per week                                             | 9/16/2019  | 9/15/2020 | special education teacher         | resource room for social skills instruction                                          |

## Related Services

Source Regulations: [707 KAR 1:002 § 1\(51\)](#), [34 CFR 300.34](#), [707 KAR 1:320 § 5\(12\)](#), [34 CFR 300.320\(a\)\(7\)](#)

**Related services** include transportation and developmental, corrective or supportive services required to assist a student with a disability to benefit from special education. Related services may include:

- speech-language pathology and audiology services
- interpreting services
- psychological services
- physical and occupational therapy
- recreation, including therapeutic recreation
- early identification and assessment of disabilities
- counseling services, including rehabilitation counseling
- orientation and mobility services
- medical services for diagnostic or evaluation purposes
- school health services and school nurse services
- social work services in school
- parent counseling and training

Related services may be provided directly to the student or on behalf of the student. When deciding the appropriate service delivery for a student, the ARC must determine the LRE. The frequency of related services should be specific enough to communicate accurately to all team members how services will be delivered, but should permit flexibility for integration of services across a variety of education settings throughout the student's school day.

Related services may be provided through a team approach. Team members share information, strategies and techniques to assure continuity of services and generalization of the skill by the student. Educational strategies and interventions are developed and implemented jointly by the ARC members, including the student when appropriate.

Related services may vary over time. Student therapy needs may differ in intensity and focus during the student's school years and could differ in intensity within a school calendar year. These fluctuations are reflected in the IEP, based on the immediate educational needs at any time during the student's course of study.

The ARC determines and documents the type, frequency and duration of related services, the service provider(s) and the location in which the services will be delivered.

1. **Type of Service:** Identify the type of related service.
2. **Service Minutes/Duration:** List the number of anticipated service minutes the service will be provided per session in the service period, in terms of minutes, hours or blocks of time.
3. **Service Frequency:** Document how often the student will receive the services per service period.
4. **Service Period:** Identify the service period as daily, weekly or monthly
5. **Start Date:** List the date (month/day/year) the services will begin.
6. **End Date:** List the date (month/day/year) the services are anticipated to end.
7. **Service Provider:** Select the position of each person responsible for implementing the services from the

service provider dropdown list.

8. **Location:** Identify the setting (general education classroom, special classroom, community, school-wide) in which the service(s) will be provided. Related services may be provided in a variety of locations (cafeteria, playground, special class). When a variety of locations will be utilized, “school-wide” should be entered as the location for implementation of related services.

### IEP Related Services - Examples

The examples below illustrate options for documenting related service decisions.

| Related Services            |                                               |                                                                    |                                            |            |           |                                   |                                                                          |
|-----------------------------|-----------------------------------------------|--------------------------------------------------------------------|--------------------------------------------|------------|-----------|-----------------------------------|--------------------------------------------------------------------------|
| Type of Service             | Anticipated Frequency and Duration of Service |                                                                    |                                            |            |           | Service Provider<br>(by position) | Location<br>(general education classroom, resource room, separate class) |
|                             | Service Minutes<br>(per service frequency)    | Service Frequency<br>(number of times provided per service period) | Service Period<br>(daily, weekly, monthly) | Start Date | End Date  |                                   |                                                                          |
| occupational therapy        | 30 minutes                                    | 1 time                                                             | per month                                  | 9/16/2019  | 9/15/2020 | occupational therapist            | general education environment                                            |
| speech/<br>language therapy | 30 minutes                                    | 1 time                                                             | per week                                   | 9/16/2019  | 9/15/2020 | speech/language therapist         | resource room                                                            |
| physical therapy            | 30 minutes                                    | 1 time                                                             | per week                                   | 9/16/2019  | 9/15/2020 | physical therapist                | school-wide                                                              |
| transportation<br>no lift   | 20 minutes                                    | 2 times                                                            | per day                                    | 9/16/2019  | 9/15/2020 | bus driver                        | bus                                                                      |

Note: Data to support special transportation is documented in the Conference Summary.

## Extended School Year Services

Source Regulations: [707 KAR 1:290 § 8](#), [34 CFR 300.106](#), [707 KAR 1:002 § 1\(26\)](#)

**Extended School Year** (ESY) refers to SDI and related services that are provided to a student with a disability beyond the normal school year, in accordance with the student's IEP and at no cost to the parents.

ESY is provided on an individual student basis for the purposes of maintaining a student's current skill level on measurable annual goal(s). ESY services are not designed to teach new skills or help the student make additional progress on measurable annual goals, but only to maintain a student's present level of performance. ESY is not limited to a particular category of disability. A district may not unilaterally limit the type, amount or duration of the services.

Local district procedures provide guidance for ARCs when determining ESY services.

ESY services are provided:

- beyond the district's normal school day, week or year
- at no cost to parents
- in accordance with the student's IEP

Determination of need and level of services is:

- an ARC decision
- based on individual need
- not based on disability category
- not "one size fits all"

The process to determine the need for ESY services may include:

- IEP implementer(s) collects progress data before and after a school break.
- ARC considers progress data and applies criteria for ESY services.
- If there is a need for ESY, the ARC determines ESY services for the specific measurable annual goal(s).



## Extended School Year

### Are extended school year services required for this student?

☐ Yes      ☐ No      ☐ More Data Needed

If the ARC determines ESY services are to be provided, describe the service and indicate to which measurable annual goal or goals the service is related. If the ARC determines no ESY services are to be provided, please document the reason(s) for this decision.

#### Examples:

☒ Yes      ☐ No      ☐ More Data Needed

Data indicated that DeShawn regressed on measurable annual goal one and did not recoup skills in a reasonable time frame. Instruction will be provided to target skills in measurable annual goal one. See Conference Summary for a more detailed discussion.

☐ Yes      ☒ No      ☐ More Data Needed

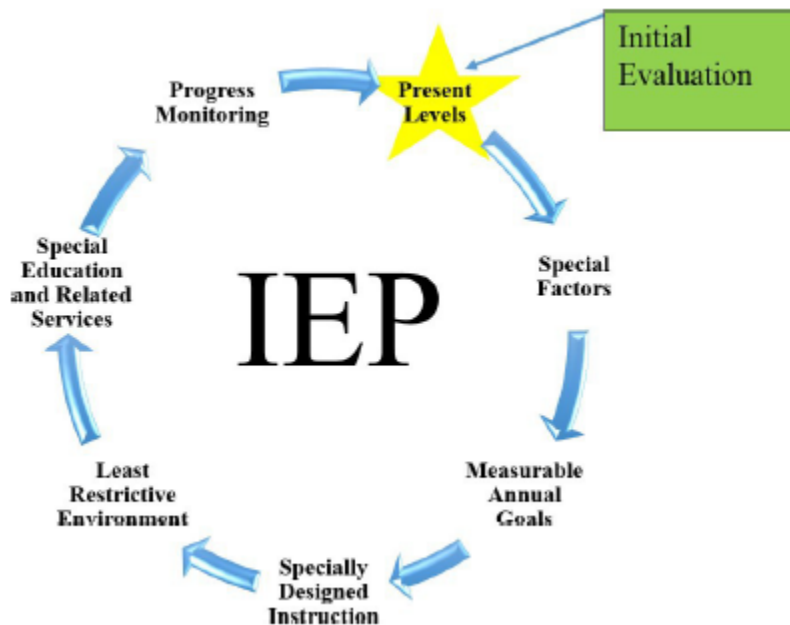
Analysis of progress data does not support ESY.

☐ Yes      ☐ No      ☒ More Data Needed

The student was just determined eligible for special education services. OR  
The ARC will collect and analyze additional data that will be recorded before and after breaks in instruction to monitor the need for ESY.

# Progress Monitoring

Source Regulation: [707 KAR 1:320 § 9\(1\)](#)



**Progress Monitoring** is the ongoing process of collecting and analyzing data to determine student progress toward specific skills or general outcomes outlined in the measurable annual goals, in order to make appropriate instructional decisions. A progress monitoring system includes the tools and methods used to collect, graph and analyze the data used to measure student progress on annual goals.

The purposes of progress monitoring are to:

- measure and report progress toward measurable annual goal(s)
- determine the effectiveness of instructional services
- guide instructional decisions and make adjustments to SDI
- determine current level of academic or behavior performance
- provide data for the reevaluation process
- determine if the student continues to meet eligibility for special education and needs SDI

## The Importance of Baseline Data

Baseline performance describes the student's current performance of a skill or strategy in measurable terms.

- words per minute
- percentage correct in three out of five trials
- number of minutes to sustain a behavior
- performance level on a rubric
- level of prompts necessary to initiate a behavior

The method used to establish baseline performance should be the same method used to monitor progress. For example, if a running record is used to establish baseline for reading fluency, then a running record should be used for on-going progress monitoring.

Current baseline information in the Present Levels section should align to all measurable annual goals. For example, if a goal is written for behavior, the present levels should contain current baseline data on that specific behavior. Measurable annual goals should not be written in any area in which current baseline information is

not documented in the Present Levels section.

Measurable annual goals are directly related to the student's needs based on the disability as described in the Present Levels. Measurable annual goals are focused on bridging the gap from where the student is (baseline) to where the student needs to be (goal) and address both academic and functional skills. Each measurable annual goal must have enough detail to allow for objective measurement. Avoid combining multiple skill deficits into one measurable annual goal.

Baseline data for an initial IEP are based on student performance data, evidence-based intervention data and instructional data. Baseline data for subsequent IEPs are based on IEP progress monitoring data and may include student performance data, evidence-based intervention data and instructional data. If a student with an IEP transfers to a school with no baseline data in the student's records, current baseline data will need to be collected.

### **Median and Mean**

Two measures used for establishing a baseline score are the median and the mean (average).

- The **median** is used when probes are collected at a single data collection period. This measure is used for new students who transfer without baseline data or no previous progress monitoring data.
  - List the scores from lowest to highest (or highest to lowest).
  - The middle number is the median.
  - If there are an even number of scores, calculate the average of the two middle scores.
- The **mean** (or average) is used when data points can be collected over time. Collecting data points across time and settings is considered best practice.
  - Calculate the arithmetic sum of all scores.
  - Then divide the sum by the number of scores.

### **Method(s) of Measurement**

Evaluation/Method of Measurement refers to how the implementer measures the student progress toward each annual goal. The selected method of measurement needs to be practical and yield information that can be easily analyzed. See Method of Measurement section for more information on each method.

Effective and efficient data collection:

- provides date of measurement (month, day and year)
- measures the behavior outlined in the annual goal
- provides for regular and frequent data collection
- uses an equivalent measure each time
- allows for analysis of performance over time
- requires a short amount of time for recording
- involves student in data collection, when appropriate (self-monitoring)

Four general methods of measurement used for Progress Monitoring are:

- Curriculum-Based Measurement
- direct measures
- indirect measures
- authentic assessment (cannot be used in isolation; requires another method of measurement)

## Examples of Progress Monitoring Methods of Measurement

### Curriculum-Based Measurement

- oral reading fluency probe
- math computation probe
- match concepts and application

### Direct

- frequency count/event recording
- time sampling/interval recording
- duration recording
- latency recording
- scatterplot
- ABC recording (analysis)
- anecdotal recordings
- checklist
- running record

### Indirect

- rubric
- goal attainment scaling
- teacher interview
- checklist
- scoring guide
- permanent product
- teacher made tests
- student self-monitoring

### Authentic Assessment

- student interview/conference
- oral interview
- portfolio
- work samples
- annotation

## Collecting, Graphing and Interpreting Progress Data to Make Instructional Decisions

When developing an IEP, the service provider selects methods of measurement and develops specific measurement tools that align to and can measure each measurable annual goal. The service provider then develops or uses a computer-generated graph to capture all progress monitoring data collected from the specific measurement tool. When reviewing progress, evidence should include a graph and identify the method of measurement tool(s) used to collect the data.

A graph should contain:

- title
- baseline
- criterion (measurable annual goal)
- aim line (desired rate of progress)
- trend line (actual progress data)
- data points with dates to include month, day, year (must match the frequency defined in each measurable annual goal)
- instructional changes documented on the graph

To determine progress, the **trend line** (actual rate of progress) and the **aim line** (desired rate of progress) are compared.

## Using Data to Report Progress to Parents

To determine the effectiveness of SDI, frequent analysis of data is critical. When reporting progress to parents, a progress report must consist of more than a statement indicating that the student is or is not making progress. The analysis should include the student's progress in meeting the measurable annual goal, including starting and ending data points for that grading period. In addition, any instructional changes that occurred during the grading period and the rationale for the change(s) should be noted. If any significant decreases or increases in progress occurred during the grading period, an explanation should be provided.

## **Examples of progress reporting with analysis of data:**

### **Student not progressing**

John is currently not on target to meet his goal in reading fluency. His data indicated that an instructional change was needed due to scores dropping from 52% to 45%. On 01/25/2019, repeated reading was added as a strategy to teach reading fluency. After three more data points, choral reading was added (02/25/2019) as another instructional change was required due to scores dropping from 45% to 32%. Since this strategy has been implemented, John's skills increased to 48% (from 45%). Progress will continue to be monitored utilizing this instructional strategy.

### **Student progressing**

At the beginning of the reporting period, Charlie was not making progress toward his goal in reading fluency. On 11/15/2019, due to scores of 49%, 48%, 45% and 48%, paired reading was added as an instructional strategy to increase reading fluency. Since that strategy began, Charlie has increased his scores to 62%. However, the two most recent data collection opportunities have shown a decrease. This could be due to Charlie missing several days of school with the flu. This strategy will continue being implemented and progress will continue to be monitored.

### **Student meeting goal**

Based on data, is currently exceeding her articulation goal. She began this progress reporting period producing /s/ sounds in all positions of words at 63% accuracy and is now producing them 80% of the time. The focus will now be on generalizing this skill across all academic areas. Progress will continue to be monitored.

### **End of IEP Cycle (Annual Review Analysis)**

Once a year, when the ARC is reviewing the IEP and developing a new IEP, the end-of-the-IEP-cycle analysis is to be completed.

The year-end analysis of progress toward measurable annual goals is typically documented in the Conference Summary and must include:

- baseline at the beginning of the IEP cycle
- progress on measurable annual goal from baseline to end of the IEP cycle
- SDI utilized and if the strategies were effective or changes were made
- explanation of any significant decreases or increases in progress
- whether the student regressed or failed to recoup skills previously taught after breaks in instruction (ESY determinations)

### **Example of Annual Review Analysis**

Brandon's baseline of answering comprehension questions at the 2nd grade level was 40%. His goal was to answer 5 comprehension questions at a 2nd grade level with 80% accuracy on 4 out of 5 occasions as measured with teacher-made tests and checklists.

During the first 6 weeks of his IEP cycle, Brandon initially made steady progress with the support of explicit instruction, modeling and visual strategies, which helped Brandon answer 4 out of 5 comprehension questions. As teacher assistance was faded, his progress toward the goal of answering comprehension questions decreased with three data points below the aim line. Instructional changes included teacher modeling, use of "think alouds" and visual strategies (story map).

Along with these instructional changes and his current SDI, Brandon began to make progress once again. Steady progress continued with Brandon meeting and exceeding his goal of answering 4 out of 5 comprehension questions at 85% accuracy. Brandon did not show regression after breaks in instruction.

## Appendix A: Sample Measurable Verbs

|               |                        |                |                   |
|---------------|------------------------|----------------|-------------------|
| Act           | Distinguish            | Multiply       | Share             |
| Activate      | Divide                 | Name           | Sit               |
| Add           | Draw                   | Open           | Sketch            |
| Alphabetize   | Drink                  | Order          | Skip              |
| Approach      | Dry                    | Organize       | Snip              |
| Arrange       | Eat                    | Outline Pedal  | Solve             |
| Ascend Ask    | Estimate               | Pick Pivot     | Sort              |
| Attend (to)   | Exchange               | Place Play     | Stack             |
| Balance Bend  | Explain                | Point Predict  | Stand             |
| Blend Bounce  | Express                | Print          | State             |
| Build Button  | Extend                 | Prioritize     | Step              |
| Calculate     | Feed                   | Produce        | Stoop             |
| Catch         | Flex                   | Propose        | String            |
| Categorize    | Fold                   | Protest Prove  | Subtract          |
| Chart         | Follow                 | Pull           | Summarize Sustain |
| Choose        | Gallop                 | Push           | Take apart        |
| Cite          | Generate               | Raise          | Tell              |
| Classify      | Graph                  | Rank           | Throw             |
| Close         | Grasp (a pencil)       | Rate           | Tie               |
| Combine       | Group                  | Reach          | Toss              |
| Compare       | Hold                   | Read           | Touch             |
| Complete      | Hop                    | Rearrange      | Trace             |
| Comply        | Identify (by pointing) | Recall         | Track             |
| Compose       | Imitate                | Recite Recount | Transfer          |
| Compute       | Indicate               | Remain Repeat  | Transition        |
| Construct     | Initiate               | Respond        | Turn              |
| Contrast      | Join                   | Restate Retell | Turn-take         |
| Convert       | Jump                   | Revise         | Twist             |
| Copy          | Kick                   | Roll           | Underline         |
| Count         | Label                  | Rotate         | Unscrew Unwrap    |
| Cover (mouth) | Lace                   | Run            | Use               |
| Crawl         | Lead Lift              | Say            | Utilize Verbalize |
| Cut Define    | List                   | Scoot          | Wait              |
| Descend       | Localize               | Screw          | Wash              |
| Describe      | Locate Look            | Seek out       | Write             |
| Diagram       | Maintain               | Select         | Zip               |
| Dictate       | Manipulate             | Separate       |                   |
| Discuss       | Match                  | Sequence       |                   |
|               | Measure                |                |                   |

(Note: This list is not meant to be exhaustive.)

## **Appendix B: KDE Clarification Email from August 2004**

**A weekly email update from the Division of Exceptional Children Services to Directors of Special Education on current issues, information and events. August 2, 2004 (Volume 1, Number 14)**

Question of the Week:

May specially designed instruction be provided in all academic areas to special education students who are only eligible only in discrete categories of disability? For example, may a student who has a learning disability in one area of LD receive specially designed instruction in all academic areas?

Answer:

No. Specially designed instruction is provided only in the area(s) of IDEA disability as determined by student evaluations, since these are the sole areas in which the ARC can demonstrate that the disability has an adverse effect on the student's educational performance.

The IEP should have specially designed instruction in academic subjects only in areas related to the disability. However, it may be appropriate for the ARC to embed IEP goals and objectives related to the disability into the content for other academic areas. It is also appropriate to provide the student with supplementary aids and services for other academic areas not related to the student's disability, to assist the student with content.

Example: If a student has been determined eligible for a learning disability solely in the area of reading comprehension, the student is not eligible for specially designed instruction in math computation. The student with a reading comprehension disability would have an IEP with goals and objectives that address reading comprehension. The student may also have reading comprehension goals for math, social studies or science - that is, any Area in which reading comprehension adversely affects that student's academic performance - in order for the student to comprehend written math problems or the science and social studies material.

For students who are eligible under the category of speech and language impairment only, the ARC must be specific about the disability. If the student has impairments in language as opposed to articulation, the IEP would reflect the language needs of the student, with the goals and objectives implemented by a speech language pathologist, speech language pathology assistant, general education teacher or special education teacher. The goals and objectives should address only the student's language needs - not other areas. If the student has articulation problems only, the IEP should have goals and objectives that address only articulation.

For students with emotional/behavior disabilities or who are Other Health Impaired, remember that ARC must make an individualized determination regarding the appropriate student goals, based on the student evaluation as reflected in the present level of performance. Keeping the example of the two paragraphs above in mind, never assume that a student whose IDEA eligibility is based upon an emotional/behavior or health disability cannot have academic goals and objectives in his or her IEP.

## Appendix C: Teacher Resources for Writing Annual Goals

measurable → annual → goal



Given these CIRCUMSTANCES (C), the STUDENT (A) will perform this BEHAVIOR (B) to this DEGREE (D) as measured by this FREQUENCY (F) and method of MEASUREMENT (E)

When given 20 content related vocabulary words, Mary will orally define

(C: Circumstance)

(A: Audience)

(B: Behavior)

18 out of 20 words correctly for 4 consecutive probes as measured by weekly frequency count.

(D: Degree)

(F: Frequency)

(E: Evaluation)



## Appendix D: Present Levels Glossary

**Adverse effect** means that the progress of the student is impeded by the disability to the extent that the educational performance is significantly and consistently below the level of similar age peers [[707 KAR 1:002 § 1\(2\)](#)].

**Aim line** is the line on a graph that indicates the progress needed in order to move a student from baseline to the performance criterion within a designated time period.

**Assistive technology device** means any item, piece of equipment or product system, whether acquired commercially, off the shelf, modified or customized, that is used to increase, maintain or improve the functional capabilities of a student with a disability. The term does not mean a medical device that is surgically implanted or the replacement of such a device [[707 KAR 1:002 § 1\(3\)](#)].

**Assistive technology service** means any service that directly assists a student with a disability in the selection, acquisition or use of an assistive technology device. This term shall include: (a) the evaluation of the needs of a student with a disability, including a functional evaluation of the student in the student's customary environment; (b) purchasing, leasing, or otherwise providing for the acquisition of assistive technology devices by students with disabilities; (c) selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing or replacing assistive technology devices; (d) coordinating and using other therapies, interventions or services with assistive technology devices, like those associated with existing education and rehabilitation plans and programs; (e) training or technical assistance for a student with a disability or, if appropriate, that student's plans and programs; and (f) training or technical assistance for professionals (including individuals providing education or rehabilitation services), employers, or other individuals who provide services to, employ or are otherwise substantially involved in the major life functions of the student [[707 KAR 1:002 § 1\(4\)](#)].

**Baseline performance** describes the student's current performance of a skill or strategy in measurable terms (words per minute, percent correct in three out of five trials, number of minutes to sustain a behavior, level of prompts necessary to sustain a behavior, number of sessions). The baseline serves as a starting point for IEP instruction. Baseline data for an initial IEP is based on student performance data. Baseline data for subsequent IEPs is based on IEP progress monitoring data.

**Commensurate with similar-age peers** means the student is performing within the range of academic and functional performance as peers in a similar grade and age range who are not disabled. Commensurate with similar-age peers does not mean the student is functioning on grade level; non-disabled students within a specific grade may also demonstrate a range of skills that includes above grade level, at grade level and below grade level.

**Course of study** means a multi-year description of coursework from the student's current school year to the anticipated exit year, designed to achieve the student's desired post-school goals. If the severity of the student's disability prevents the student from pursuing a course of study that meets the high school graduation requirements for a standard diploma, an alternative course of study based on student needs and required academic standards shall be offered.

**Criterion** means a standard by which a judgment or decision may be based.

**Expanded core curriculum for students with visual impairments (ECC-VI)** means the body of knowledge and skills that are needed by students with visual impairments due to their unique disability and specific needs. Students with visual impairments need the expanded core curriculum in addition to the core academic curriculum of general education. The ECC-VI should be used as a framework for assessing students, planning individual goals and providing instruction. The nine areas of the ECC-VI include compensatory or functional academic skills, including communication modes; orientation and mobility; social interaction skills;

independent living skills; recreation and leisure skills; career education; use of assistive technology; sensory efficiency skills; and self-determination.

**Expanded core curriculum for students who are deaf or hard of hearing (ECC-DHH)** means the body of knowledge and skills that are needed by students who are deaf or hard of hearing who have specialized needs not covered in the general education curriculum. Students who are deaf or hard of hearing need the expanded core curriculum in addition to the core academic curriculum of general education. The ECC-DHH should be used as a framework for assessing students, planning individual goals and providing instruction. The eight areas of the ECC-DHH include audiology; career education; communication; family education; functional skills for educational success; self-determination and advocacy; social-emotional skills; and technology.

**Formative assessment** is a process used by teachers and students during student instruction. It monitors student learning by providing continuing explicit feedback that can be used by instructors to improve their teaching and by students to improve their learning.

**Lexile** is a reading measure that provides information about an individual's reading ability or the difficulty of a text passage. These measures assist in matching a reader with the appropriate difficulty level of text for decoding and reading comprehension. The Lexile reading measure can also be used to monitor a reader's growth in reading ability over time.

**Needs or concerns related to disability** are areas in which there is an adverse effect, i.e., the student performs *significantly* and *consistently* below the performance of similar grade (academic achievement) and age (functional performance) peers as a result of the disability. This directly corresponds to the needs of the student based on eligibility criteria and regulatory definition of a disability category.

**Quantile** is a framework for measuring student mathematical achievement, the difficulty of mathematical concepts, and the materials used for teaching mathematics. A Quantile measure indicates how well a student understands mathematical concepts and skills at his or her grade level.

**Rate of Learning (RoL)** means a student's growth in achievement or behavior over time compared to prior levels of performance (comparison to self) and peer growth rates (comparison to age peers).

**Relative strengths** are areas in which the student performs well as compared to the student's own performance overall.

**Summative assessments** evaluate student learning at the conclusion of a defined instructional unit. They compare the student's learning results against a standard or benchmark.

**Work-based learning (WBL)** is an effective teaching approach used to engage students in real-life occupational experiences. It incorporates structured, work-based learning activities into the curriculum, allowing a student to apply knowledge and skills learned in class to the workplace. Work-based learning provides students with the opportunity to engage and interact with employers, while learning to demonstrate essential employability and technical skills necessary for today's workforce.

## Appendix E: KDE/OVR Transition IEP Guidance Document

This IEP Addendum Guidance Document is designed to ensure that all IEP teams for transition-age students with disabilities are aware of these new Work Force Innovation and Opportunities Act (WIOA) resources, and in turn, can provide students with all of the transition services that enable them to achieve their post-school goals of employment and post-secondary education.

### **WIOA Pre-Employment Transition Services (Pre-ETS): What Are They?**

WIOA mandated that State Vocational Rehabilitation Agencies expend a minimum of 15 percent of their federal match dollars on pre-employment transition services for transition-age youth with disabilities. Pre-employment transition services (or Pre-ETS) include the following broad categories:

- *Job Exploration Counseling*, which may include career counseling, job exploration in the community, job search assistance.
- *Work-Based Learning Experiences*, which may include in-school or after schoolwork opportunities or experiences, internships, job shadowing, job readiness training, job placement assistance, and on the job training.
- *Workplace Readiness Training*, to develop social skills and independent living, which may include experiencing job readiness training, promoting self-awareness and esteem.
- *Post-Secondary Counseling*, which may include exploring and experiencing opportunities for enrollment in comprehensive transition or postsecondary educational programs at institutions of higher education.
- *Instruction in Self-Advocacy*, which may include peer mentoring, disability skills training, benefits planning and financial readiness.

Each of these Pre-ETS services can be offered to students with disabilities either in a one-to-one or within a group format. The sections below will go into more detail on what these services entail and how districts can access and be reimbursed for these services. Because our state Vocational Rehabilitation agency (the KY Office of Vocational Rehabilitation or OVR) places so much importance on students receiving these new services, KY OVR will reimburse school districts participating in the Community Work Transition Program for the provision of authorized Pre-ETS transition services to all students with disabilities who are eligible or potentially eligible for OVR services ages 14-21.

### **WIOA Pre-Employment Transition Services: Who is Eligible?**

In collaboration with the KY Office of Vocational Rehabilitation (OVR), schools can provide pre-employment training services (Pre-ETS) to students ages 14 and older (up to age 21), who are potentially eligible for VR services.

Potentially eligible students have not yet applied for VR services, but they can still receive pre-employment training services if they have either a current Individualized Education Program (IEP) 504 Plan, or other documentation. Thus, the eligibility requirements for students with disabilities to receive Pre-ETS services are written as broadly as possible. Pre-employment services thus become an important part of transition planning and services, including addressing the transition needs of students 14 to 16 years of age.

Here are the specific eligibility requirements for transition-age students in KY to receive Pre-ETS service. The student must meet these three criteria:

1. In an Education Program (for these purposes, in secondary/high school),
2. Between 14-21 years old, and
3. Eligible for and receiving special education or related services under IDEA or is an individual with a

disability for purposes of Section 504 of the Act (e.g., students who have a 504 plan) Documentation for a student to receive Pre-ETS services can include the IEP, 504 plan, medical documentation, review of school records, a statement from school staff, case notes documenting counselor observation, or a letter verifying that the student is a Social Security benefits recipient.

### **WIOA Pre-Employment Transition Services: In a Little More Detail**

The following section details examples of Pre-ETS services that can be offered in individual and group formats, with the material below taken from the Workforce Innovation Technical Assistance Center (WINTAC). It should be noted that these services are in addition to what schools are presently providing their transition-age students in these areas. The purpose of WIOA Pre-ETs services is to supplement, and not supplant, the efforts of the school district.

- ***Job Exploration Counseling:*** Job exploration counseling in a group setting may be provided in a classroom or community setting and can include information on the demand for occupations, identifying career pathways that are of interest to students and administering vocational interest inventories. Job exploration counseling provided on an individual basis in a classroom or community setting can include discussions about the student's vocational interest inventory results, in-demand occupations, career pathways and labor market information related to the student's interests.
- ***Work Based Learning Experiences –Integrated Settings*** may include opportunities that are in-school, after school, or outside the traditional setting (including internships). Work-based learning experiences must be provided in an integrated setting in the community to the maximum extent possible. Group work-based learning experiences can include school-based programs of job training and informational interviews; tours of businesses or worksites to learn about necessary job skills; job shadowing; and/or community mentoring opportunities. Individual work-based learning experiences can include paid or unpaid internships, apprenticeships, short-term employment, fellowships and on-the job training in the community.
- ***Workplace Readiness Training*** may be offered in a classroom or other such group setting to assist students with disabilities to develop social and independent living skills necessary for eventual employment. Training can address communication and interpersonal skills; financial literacy; group orientation and mobility skills; job seeking skills; understanding employer expectations for punctuality and performance and other 'soft' skills necessary for employment. Training may also be tailored to an individual's needs in an educational or community-based setting, as well as opportunities to acquire and apply knowledge or skills.
- ***Counseling on opportunities for enrollment in comprehensive transition or post-secondary educational programs at Institutions of Higher Education (IHEs)*** in a group setting may include providing information on: course offerings; career options; academic and occupational training needed to succeed in the workplace; and post-secondary opportunities associated with career fields or pathways. Counseling may also be provided on an individual basis and can include advising students and parents or parent representatives on academic curricula; providing information about college application and admission process; completing the Free Application for Federal Student Aid (FAFSA); and providing resources that may be used to support individual student success in education and training (disability support services).
- ***Instruction in Self-Advocacy*** may be provided through generalized classroom lessons (group) in which students learn about their rights and responsibilities under the Americans with Disabilities Act (ADA); learn how to request accommodations or services and supports; and communicate their concerns and needs about working in their area(s) of interest. Self-advocacy instruction can also be provided on

individual basis through students conducting informational interviews; mentorships with educational staff or with individuals employed in integrated community settings; and participating in youth leadership activities offered in educational or community settings.

## **WIOA Pre-Employment Transition Services: How IEP Teams Can Access These Services**

There are several ways in which schools can access Pre-ETS services for transition-age students with disabilities, and we discuss several of these below. While this addendum is not intended as a formal endorsement of any of these mechanisms, districts have an absolute obligation to ensure that they provide the transition services designated on the IEP.

The most established way for schools to access WIOA Pre-ETS and other transition services is to be a part of the KY Department of Education and KY Office of Vocational Rehabilitation Community Work Transition Project (CWTP). Here are some important things you and others in your district need to know about this program:

- ***The CWTP no longer requires a district match*** – i.e., districts no longer have to put up their own funds to participate in the program. This is a very important change, especially for districts with more limited resources, that has occurred with the implementation of WIOA.
- ***The CWTP does not require districts to hire additional staff.*** Rather, districts can re-allocate existing staff to provide WIOA-approved services and receive Office of Vocational Rehabilitation (OVR) reimbursement for the approved services provided to and documented for eligible students.
- ***WIOA pre-employment training services (as well as the individualized transition services available through the CWTP) can be provided by a broad range of staff who are trained to do so.*** Teachers can certainly provide the five Pre-ETS services, but so can appropriately trained paraprofessionals, district employment specialists and other school staff within the scope of their competence. five Pre-ETS services can be offered - in either group (up to four individuals simultaneously) or to students on a one-to-one basis. Examples of activities through which these services can be offered in both group and individual formats are described above on pages 3-5.
- ***Districts may use the reimbursement funds they receive from OVR in many ways.*** For example, the reimbursement rates from OVR in almost all cases will cover the personnel costs for the school staff providing the services, while providing additional funds that the district can use to offset other costs, such as transportation to individual job sites or career exploration activities. For instance, an Employment Specialist may arrange for a tour of a local business for four students who have an interest in the industry. The event will take 2 hours using a school bus so the reimbursement cost calculation is 4 students X \$25 per hour X 2 hours = \$200 to the school program. These funds may be used to offset the cost of the bus driver and use of the bus as well as the salary of the Employment Specialist.
- In addition to reimbursement for the five Pre-ETS services for transition-age students with disabilities ages 14-21, ***participation in the CWTP allows districts to provide reimbursable, individualized transition services to all eligible students with disabilities in need of VR services and who meet OVR's order of selection criteria*** (that is, have a sufficiently significant disability to be considered highest priority). These individualized transition services include:
  - job development,
  - vocational assessment in order to focus on career goals,
  - job placement,
  - follow-up, and supported employment consultation.

While reimbursable Pre-ETS services are available as needed for all students with disabilities ages 14-21 in school programs, these more focused, individualized transition services are specifically designed for students with more significant disabilities.

For more information on how your district can apply to be a CWTP, please contact either Veronica Dale (VeronicaJ.Dale@ky.gov), KY Office of Vocational Rehabilitation, or the Community Work Transition Program at the Human Development Institute, University of Kentucky:

HDI/University of Kentucky  
1525 Bull Lea Rd. Suite 160  
Lexington, KY 40511  
(859) 218-5964  
[HDI/University of Kentucky Website](#)

### **What if Our District Does Not Participate in the CWTP?**

Regardless of whether districts do or do not participate in the CWTP, schools - and IEP teams- still have the responsibility to ensure that all transition-age students with disabilities receive the transition services (including both school-based and community-based employment services) required to meet their desired Post-School Transition Goal(s). While districts are encouraged to consider participating in the CWTP, if your district currently does not participate, here are some resources that might be helpful in your transition planning with students.

- Your **Regional Education Cooperative** Pre-ETs trainings and student workshops– please consult your district’s regional education cooperative’s transition or low incidence consultant to find out what Pre-ETS services your regional cooperative is offering to transition-age students in your region. These regional cooperative trainings are open to your transition-age students with disabilities, whether or not you participate in the CWTP. Note that if you do participate in the CWTP, your regional cooperative may be able to help you integrate the Pre-ETS services you are providing at the school level with the trainings being provided at the Co-op level. For example, the regional cooperative transition consultant may provide an in-school workshop on self-advocacy skills to a large selection of students, the CWTP Employment Specialist may then work with a smaller set of those students or individually to ensure a better understanding of the workshop or to use that self-advocacy skills training to practice those skills in the community.
- Pre-ETS services offered through **Community Rehabilitation Programs (CRPs)**. KY OVR works directly with a network of community rehabilitation programs to provide services to eligible individuals. A number of CRPs are offering Pre-ETS services to eligible transition-age students without charge. For instance, in some areas, the CRPs have partnered with the LEAs and arranged to provide in-school or after-school pre-ETS targeted weekly workshops or skills trainings, and in some areas, summer projects are developed. To find out about opportunities for students to receive Pre-ETS services through a CRP in your area, please contact the OVR transition counselor that has been assigned to your secondary school or the local OVR office in your area.
- **Jobs for Kentucky’s Graduates (JAG KY)** is a national program that is expanding within KY. The program provides a competency-based curriculum for in-school youth who have significant barriers to success that include disability, academic, physical, psychological, work related, and/or environmental barriers. The competency-based modules provide up to 880 hours of content consisting of activities, project-based learning, competency-based tests and work-based learning. The competency areas include career development, job attainment, job survival, basic skills, leadership and self-development, personal skill, life survival skills workplace and economic empowerment. These areas align with the five Pre-ETS services as outlined in WIOA. For schools participating in JAG, there will be a “Specialist” or “Career Coach” from JAG KY assigned to the school.

## **Helping Families and Students Envision Post-School Work: Addressing Key Barriers**

Families and students may perceive a number of barriers to the possibility of a meaningful job after the student has completed school. One of the greatest perceived barriers for many families is the potential loss of government benefits, including Supplemental Security Income (SSI) and health insurance through Medicaid, should the student work in a regular job. Families may not always realize that - in almost all cases – students are financially better off working than not working, and that important government benefits, including Medicaid health insurance, can be retained when the student enters the regular work force. To enable families and students to understand the relationship of potential earnings to government benefits and health care coverage, here are two resources that can greatly assist:

- ***Kentucky WORKS Benefits Module: A Guided Study of Your Own Situation*** ([\*Kentucky WORKS Website\*](#)) is a one-hour overview training of how earned income may affect eligibility for entitlement to Social Security Disability benefits and Supplemental Security Income (SSI). The module:
  - o Clarifies the facts about the impact of work upon disability benefits and Supplemental Security Income benefits; and
  - o Provides students, families, and educators with the basic knowledge to make an informed decision about how obtaining employment may affect the student's financial situation.
- ***OCR Benefits Counseling***. Students eligible for VR services, as part of their plan for employment and in developing a vocational goal may be referred to a Benefits Counselor to discuss how best to address their current government assistance and how to transition away from dependency through employment.

## **References:**

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Workforce Innovation Technical Assistance Center (undated). [CRP Pre-ETS Guidebook: Strategies for Community Rehabilitation Providers to Collaborate on Pre-ETS](#).