



Steven L. Beshear
Governor

Terry Holliday, Ph.D.
Commissioner of Education

**EDUCATION AND WORKFORCE DEVELOPMENT CABINET
DEPARTMENT OF EDUCATION**

Capital Plaza Tower • 500 Mero Street • Frankfort, Kentucky 40601
Phone: (502) 564-4770 • www.education.ky.gov

October 13, 2012

Ms. Dorothy Perkins, Superintendent
Gallatin County Schools
PO Box 146
Warsaw, Kentucky 41095

Dear Ms. Perkins,

This email is to provide the "district determination" regarding the **Gallatin County Schools'** special education programs for students with disabilities. Federal regulations require the Kentucky Department of Education (KDE) to make annual "Determinations" on the performance of local school district programs for students with disabilities. This requirement includes the federal government making a determination about each state and then the state making a determination about each school district. This is explained briefly below.

The Individuals with Disabilities Education Act of 2004 (IDEA) required states to submit a State Performance Plan (SPP) to the U.S. Education Department several years ago. The SPP consists of 14 indicators for which districts are accountable, involving student outcomes and district compliance with special education requirements. Every year thereafter, each state must submit an Annual Performance Report (APR) that shows it has made progress on all 14 indicators. Determination of progress or lack of progress is decided from data collected by the state from all school districts.

The Office of Special Education Programs (OSEP) in the United States Education Department (USED) examines the APR and makes a "Determination" about the performance of the state on one of four levels: 1) Meets Requirements, 2) Needs Assistance, 3) Needs Intervention or 4) Needs Substantial Intervention. The past few years, OSEP made the decision that Kentucky is at level 1, "Meets Requirements," based on the review of our APR.

The state is then required to make a Determination for each school district on one of the same four levels. KDE is using the Indicators listed below to make the 2012 "Determinations". Determinations are based on data from the 2010-2011 school year. The table below reports your district's status for each area.

Compliant?	Indicator	Description
Yes	Indicator 4b	Suspensions of Students with IEPs over 10 days
Yes	Indicator 9	Disproportionate Representation of Students with IEPs (racial and ethnic groups)
Yes	Indicator 10	Disproportionate Representation by Specific Disability Category
Yes	Indicator 11	Child Find (students evaluated within 60 days after consent)

Compliant?	Indicator	Description
Yes	Indicator 12	Students' IEPs in Place by Their Third Birthday (transitioning from First Steps)
Yes	Indicator 13	Secondary Transition with IEP Goals
Yes	Indicator 15	Monitoring and Complaints (timely correction of noncompliance)
Yes	Indicator 20	Timely and Accurate State Reported Data and Reports
Yes	Waiver Requests	Waivers for class size, caseload, grade range, teacher assignment and shortened day/week.
Yes	Hearings	District has complied with any Hearing Officer Orders
Yes	Fiscal	District has no Audit or Financial Report concerns
Yes	CAP Status	District is meeting the requirements of all Corrective Action Plans

Based on the performance of the **Gallatin County Schools** for the areas listed above, the 2012 District Determination is **"Meets Requirements"**. The KDE will provide support to districts, with the degree of support depending upon the Determination level. This technical assistance has been previously provided in a variety of ways including training by staff from the Division of Learning Services (DLS) and the Special Education Cooperatives. The attached, 'Kentucky Determination Process' document describes the various levels of Determinations and what actions, if any, may be required based on your determination.

If you have questions regarding your annual determination, please contact the DLS by phone at (502) 564-4970 or email darlene.jesse@education.ky.gov.

Sincerely,



Johnny Collett, Director
Division of Learning Services
Office of Next Generation Learners
Kentucky Department of Education
500 Mero Street
Frankfort, KY 40601
Phone (502) 564-4970
Fax (502) 564-6721

C: Felicia Cumings Smith, KDE Associate Commissioner
Renee Cameron, Director of Special Education, Gallatin County Schools
Larry Taylor, Director, Ohio Valley Educational Cooperative