**From:** Casey, Kimberly - Division of Learning Services **On Behalf Of** Collett, Johnny - Director, Division of Learning Services  
**Sent:** Tuesday, October 29, 2013 6:31 PM  
**To:** Perkins, Dorothy B.  
**Cc:** Cameron, Renee; [ltaylor@ovec.org](mailto:ltaylor@ovec.org); Smith, Felicia - Associate Commissioner, Office of Next Generation Learners; Jesse, Darlene - Division of Learning Services  
**Subject:** 2013 Special Education Determination as Required under the IDEA

Dear Superintendent Perkins,

Each year the Kentucky Department of Education (KDE) is required, under the Individuals with Disabilities Education Act (IDEA), to make annual Determinations regarding each local school district’s special education program.

KDE has finalized its 2013 District Determinations.  Please find attached the two separate files described below:

* The *Kentucky Determination Process* describes how the KDE makes Determinations, what the various Determinations are, and the district’s response (if required) based on the district’s Determination status.
* A letter containing the official notice of your district’s 2013 Determination.  This letter also identifies each of the areas the KDE considered in making its determination decision about your special education program.

For each area reviewed, the table in the Determination letter indicates ‘Yes’ if your district met the requirement for that particular area or ‘No’ if it failed to meet requirements in that area.  After the table, an overall Determination for the district is specified.

Below is a brief description of the various Determinations:

|  |  |
| --- | --- |
| **Meets Requirements *(MEETS)*** | |
| **Needs Assistance *(NA)*** | |
| **NA1** | * First year in Needs Assistance. |
| **NA2** | * Second consecutive year of Needs Assistance. |
| **Needs Intervention *(NI)*** | |
| **NI1** | * Third consecutive year of Needs Assistance. |
| **NI2** | * Fourth consecutive year of Needs Assistance. |
| **NI3** | * Fifth consecutive year of Needs Assistance. |
| **Needs Substantial Intervention *(NSI)*** | |
| 1.   Sixth Consecutive year of Needs Assistance; or  2.   Finding of ***Persistent Failure or Not Able to Comply***;or  3.   Results of an On-Site Monitoring Visit (Based on Monitoring Team Findings described Below) | |

Please carefully review both of the attached documents.  If you have questions or require additional information, please contact me using the information below.

Johnny W. Collett

*Director*

Division of Learning Services

Office of Next Generation Learners

Kentucky Department of Education

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