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**KENTUCKY DEPARTMENT OF EDUCATION**  
300 Sower Boulevard • Frankfort, Kentucky 40601  
Phone: (502) 564-3141 • [www.education.ky.gov](http://www.education.ky.gov)

March 7, 2022

Superintendent Kevin Stull  
Garrard County School District  
322 West Maple Avenue  
Lancaster, Kentucky 40444

**RE: Alternate Assessment Eligibility Final Report – Based on 2021-2022 Data**

Dear Superintendent Stull:

Enclosed is the *Final Report* from the alternate assessment eligibility desk audit for the Garrard County School District. This report reflects the conclusions of the Division of IDEA Monitoring and Results (DIMR).

If you have questions, please contact the DIMR audit lead, Tania Sharp, at [tania.sharp@education.ky.gov](mailto:tania.sharp@education.ky.gov) or (502) 564-4970 ext. 4124.

Sincerely,

Jackie Williams, Assistant Director  
Division of IDEA Monitoring and Results

cc: Wendy Congleton, Director of Special Education  
Gretta Hylton, Associate Commissioner, Office of Special Education and Early Learning  
April Pieper, Branch Manager, DIMR  
Tania Sharp, Audit Lead, DIMR  
Brandi Bray, Southeast/South-Central Educational Cooperative

**Alternate Assessment Eligibility Desk Audit**  
**Final Report**  
**Garrard County School District**  
**March 7, 2022**

General Information	
<b>Type of Report:</b>	<b>Off-Site Monitoring</b>
<b>Area(s) Reviewed:</b>	Alternate Assessment Eligibility
<b>Data Collection Time Frame</b>	2021 - 2022 School Year
<b>Data Sources:</b>	Individual Education Plan Alternate Assessment Participation Guidelines Student Due Process Files
<b>Division of IDEA Monitoring and Results (DIMR) Review Team Members</b>	Tania Sharp, DIMR Desk Audit Lead Erma White, DIMR Shauna Howard, DIMR Jessica Jones, DIMR

### **Alternate Assessment as a Monitoring Area**

The Kentucky Department of Education (KDE), Office of Special Education and Early Learning (OSEEL), and the DIMR are required to review the decisions of Admissions and Release Committees (ARCs) regarding alternate assessment participation, and determine whether these decisions are consistent with the Individuals with Disabilities Education Act (IDEA) and federal and state regulations [34 CFR § 300.320\(a\)\(6\)\(ii\)](#) and [707 KAR 1:320, Section 5](#).

Districts are required to follow the [Guidance for ARCs on Participation Decisions for the Kentucky Alternate Assessment](#) to ensure that students meet all eligibility criteria for participating in the alternate assessment. Districts must also document ARC decisions on the *Kentucky Alternate Assessment Participation Guidelines Documentation Form* or conference summary.

The focus of the present desk audit was to determine whether students were appropriately identified as meeting all eligibility criteria to participate in the alternate assessment, and the ARC decisions were appropriately documented.

### **Off-Site Monitoring Methodology**

All districts were subject to a data review. If a district was found to meet one or more of the criteria below, the DIMR performed further monitoring by reviewing a sample of student due process files. The criteria for determining whether a district required additional monitoring included:

- exceeded 1.0% alternate assessment participation during the 2020-2021 school year in at least one subject area
- exceeded 1.0% alternate assessment participation during the 2020-2021 school year in multiple subject areas
- exceeded 1.0% alternate assessment participation over multiple years
- exceeded 2.0% alternate assessment participation during the 2020-2021 school year in at least one subject area

- exceeded over 3.0% of students on alternate assessment during the 2020-2021 school year in at least one subject area
- included students identified with characteristics not typical of a student with a most significant cognitive disability (Learner Characteristics Inventory)
- included students who are eligible for special education with a disability category not identified as a cognitive disability (Alternate Assessment eligibility report)
- increased in alternate assessment participation over multiple years
- assessed less than 1.0% of students on an alternate assessment during the 2020-2021 school year and has never participated in an alternate assessment desk audit

The DIMR requested each district identified to provide a sample of due process records from the Infinite Campus (IC) statewide information system for students found eligible to participate in the alternate assessment. The student due process records were reviewed by the DIMR team using the [2020-2021 IDEA Compliance Review](#) document and the [Participation Guidelines for the Kentucky Alternate Assessment Record Review](#) document.

During the review, the DIMR monitored whether the students had been appropriately identified as meeting all eligibility criteria to participate in the alternate assessment and verified whether the district correctly utilized the Kentucky Alternate Assessment Participation Guidelines Documentation Form to document all ARC decisions, per [707 KAR 1:320, Section 5 \(11\)](#).

Even though alternate assessment participation is the focus of this report, the team may have identified additional concerns when reviewing the individual student due process records. Under its general supervision responsibility, the KDE is required to cite districts for any additional IDEA noncompliance identified during the course of monitoring.

### **COMPLIANCE CONCERNS PER INDIVIDUAL RECORD REVIEWS**

This section contains student-specific feedback based on the review of the student due process records completed by the DIMR review team.

#### **STUDENT #1**

Student file is in compliance for the area reviewed.

#### **STUDENT #2**

Student file is in compliance for the area reviewed.

#### **STUDENT #3**

Student file is in compliance for the area reviewed.

#### **STUDENT #4**

Student file is in compliance for the area reviewed.

#### **STUDENT #5**

Student file is in compliance for the area reviewed.

**STUDENT #6**

Student file is in compliance for the area reviewed.

**STUDENT #7**

Student file is in compliance for the area reviewed.

**STUDENT #8**

Student file is in compliance for the area reviewed.

**STUDENT #9**

Student file is in compliance for the area reviewed.

**STUDENT #10**

Student file is in compliance for the area reviewed.

**SUMMARY OF THE OSEEL TEAM’S FINDINGS AND THE DISTRICT’S COMPLIANCE STATUS**

Table 2 indicates the compliance rate for alternate assessment eligibility based on the desk audit conducted by the DIMR team.

**Table 2**

Area Reviewed	Compliance Rate 2021-2022 School Year	Corrective Action Required
Alternate Assessment Eligibility	100.00%	No

Based on the information above:

The Garrard County School District is **not cited** for student-specific violations related to alternate assessment eligibility.

The Garrard County School District is **not cited** for systemic violations related to alternate assessment eligibility.

**COMPLIANCE RECORD REVIEW ITEMS EXAMINED**

Item Number	Compliance Requirement	Regulatory Requirement
<b>43a.</b>	Statement of decisions and reasons for meeting the requirements for Alternate Assessment Program  Note: As reflected in the Participation Guidelines Documentation, to participate a student must meet all four participation criterion.  If the ARC determines that the child meets the criteria for participation in the alternate assessment program as provided in 703 KAR 5:070, it shall provide a statement of its decision and the reasons for the decision.	<a href="#">703 KAR 5:070</a>  <a href="#">707 KAR 1:320, Section 5 (11)</a>
	<b>Item 1:</b> The ARC documented the student is eligible for special education services.	<a href="#">707 KAR 1:310</a>
	<b>Item 2:</b> The ARC documented, using current and longitudinal data, that the student's demonstrated cognitive functioning and adaptive behavior in <u>all</u> settings are significantly below age expectations, even with program modifications.	<a href="#">34 CFR § 200.6(d)(1)</a>
	<b>Item 3:</b> The ARC documented that the student requires extensive, individual direct instruction across multiple settings. Documentation also reflects that the student requires intensive accommodations, modifications and assistive technology to access and make progress on the Kentucky Academic Standards (KAS), and to maintain and generalize learning.	<a href="#">34 CFR § 200.6(d)(1)(ii) and (iii)</a>
	<b>Item 4:</b> The ARC documented that the decision for the student to participate in the alternate assessment is not primarily the result of any exclusionary factors.	<a href="#">34 CFR § 200.6(d)</a>
	<b>Item C:</b> The ARC documented that the student meets all criteria for participation in the alternate assessment, provided a statement of its decision and the reasons for the decision and all referenced data sources can be verified with supporting documentation.	<a href="#">707 KAR 1:320, Section 5 (11)</a>
<b>43b.</b>	If the student meets requirements to participate in the alternate assessment aligned with alternate academic achievement standards (AA-AAAS), student's current	<a href="#">703 KAR 5:070</a>

Item Number	Compliance Requirement	Regulatory Requirement
	<p>level of communication has been determined and verified by the ARC.</p> <p>Note: The student's current level of communication must be documented in the Present Levels of the IEP.</p> <p><b>Item D:</b> The student's functioning pertaining to receptive and expressive communication are addressed in the IEP and the ARC reviewed and completed the Learner Characteristics Inventory (LCI)?</p> <p>Note: If a student is found eligible for the alternate assessment, the ARC must complete the LCI and document that communication is addressed, or is not marked as an area of concern, in the student's IEP.</p>	<p><a href="#">707 KAR 1:320, Section 5 (2) (d)</a></p>
<b>43c.</b>	<p>If the student meets requirements to participate in the alternate assessment, documentation in the IEP shows evidence of a communication plan.</p> <p>Note: The student must have a communication plan or the student's IEP must document communication is not an area of concern at this time (in which a communication plan would not be necessary). The communication plan may be documented in the Present Levels, Special Factors, Measurable Annual Goal(s) or Supplementary Aids and Services areas of the IEP.</p>	<p><a href="#">707 KAR 1:320, Section 5</a></p>
<b>49.</b>	<p>The ARC considers the concerns of the parent(s) in the development of the IEP.</p> <p><b>Item A:</b> There is documentation the parent was provided a copy of the Alternate Assessment Parent Guide with an opportunity to ask questions (prior to ARC meeting, during ARC meeting, or other time)</p> <p><b>Item B:</b> Documentation district personnel explained to all ARC members the difference between an Alternative High School Diploma and a Regular High School Diploma.</p>	<p><a href="#">707 KAR 1:320, Section 4 (1)</a> <a href="#">34 CFR § 200.6(d)(3)</a></p> <p><a href="#">704 KAR 3:305</a></p> <p><a href="#">34 CFR § 200.6(d)(2-4)</a></p>

Item Number	Compliance Requirement	Regulatory Requirement
	Note: The district must explain the difference between the two diplomas (including the courses of study, minimum graduation requirements and implications) to all ARC members and provide any member of the ARC an opportunity to ask questions.	