

Kentucky Board of Education Regular Meeting
August 7, 2019 8:30 AM
Kentucky Department of Education, 300 Sower Boulevard
State Board Room, Room 514
Frankfort, KY 40601

Minutes

The Kentucky Board of Education (KBE) held its regular meeting on August 7, 2019 at the Kentucky Department of Education (KDE), 300 Sower Boulevard, Frankfort, Kentucky. The board conducted the following business:

I. Call to Order

Chair Heiner welcomed everyone and called the meeting to order at 8:31 a.m.

Chair Heiner announced for everyone watching via live webcast that the agenda and board documents may be found on the KDE website. Chair Heiner thanked the individuals providing closed captioning for their service and reminded everyone to silence their cell phones.

II. Roll Call

Chair Heiner asked for a roll call of members. The following members were present: Ben Cundiff, Tracey Cusick, Rich Gimmel, Kathy Gornik, Hal Heiner, Gary Houchens, Alesa Johnson, Joseph Papalia, Milton Seymore, Amanda Stamper, Laura Timberlake, Deputy Education and Workforce Development Cabinet Deputy Secretary Nemes on behalf of Secretary Ramsey and Council on Postsecondary Education (CPE) President Dr. Aaron Thompson. Absent: Amanda Stamper.

Chair Heiner stated a quorum was present.

III. Pledge of Allegiance

Chair Heiner led the members in the Pledge of Allegiance.

IV. Minute of Silence

Chair Heiner and members observed a minute of silence.

V. Nomination and Election of Kentucky Board of Education Chair and Vice Chair

Chair Heiner led the process of electing a board chair and opened the floor for nominations for KBE board chair.

Kathy Gornik nominated Hal Heiner as KBE board chair. No other nominations were made.

Chair Heiner closed the floor nominations for KBE board chair.

Kathy Gornik made a motion and Ben Cundiff seconded the election of Hal Heiner as KBE chair.

The motion passed with unanimous voice vote.

Chair Heiner opened the floor for nominations for KBE board vice chair.

Kathy Gornik nominated Milton Seymore as KBE board vice chair. No other nominations were made.

Chair Heiner closed the floor for nomination for KBE board vice chair.

Kathy Gornik made a motion and Ben Cundiff seconded the election of Milton Seymore as KBE vice chair.

The motion passed with unanimous voice vote

VI. Approval of Summary Minutes for June 5, 2019 Regular Meeting

Laura Timberlake made a motion to approve the minutes and Milton Seymore seconded that motion. The motion passed with unanimous voice vote.

VII. Report from the Secretary of the Education and Workforce Development Cabinet

Deputy Secretary Mike Nemes presented an update on current programmatic and legislative initiatives at the cabinet, with emphasis on education opportunities for adults and the Early Childhood Institute which occurred in June.

VIII. Report from the President of the Council on Postsecondary Education (CPE)

President Aaron Thompson was not present and, therefore, unable to provide a report.

IX. Report from the Commissioner of Education

KDE Commissioner Wayne Lewis welcomed new KDE staff and shared information related to the teacher shortage issues facing the nation and state. Dr. Lewis also announced the future launch of Go Teach KY, an effort to increase awareness of the teaching career and pathway options.

X. Requested Initiatives Updates (Review Item)

KDE Commissioner Wayne Lewis and Deputy Commissioner Amanda Ellis presented information on initiatives related to the KBE's mission of accelerated interventions for student learning.

XI. Update on Jefferson County Public Schools-Superintendent Marty Pollio (Review Item)

Dr. Marty Pollio presented an update on the JCPS' Corrective Action Plan (CAP) including information in the areas of finance and safe crisis management. Dr. Pollio also announced the new Backpack League which launched this past summer as a means of deeper learning, with emphasis on literacy and numeracy.

XII. Review of Process to Determine 5-Star Ratings for Kentucky Schools (Review Item)

KDE Associate Commissioner Rhonda Sims and Division Director Jennifer Stafford shared an update on the development and implementation of the five star rating system for schools and local education agencies. Sims discussed next steps to include a standard setting process involving Kentucky educators and technical experts, which will be conducted to determine very low to very high performance levels for each indicator in the accountability system. The indicators that will be used to determine a star rating for 2018-2019 are proficiency, separate academic indicator, growth, graduation rate and transition readiness. Communications Officer, Jessica Fletcher, joined the discussion to share communication efforts related to the accountability system. Dr. Kelly Foster also joined the discussion to share efforts occurring with those schools/ districts identified as in need of additional support.

XIII. 2020-2022 Biennial Budget Update: Defined Calculations and ABR Projects (Review Item)

Associate Commissioner Robin Kinney and KDE Division Director Charles Harman discussed an overview of the biennial budget process, along with defined calculations, to determine prioritization of additional budget requests. Kinney and Harmon reviewed budget requests and shared what initiatives were required by law and those that would support department priorities. Kinney shared that final KBE guidance and approval of the 2020-2022 Biennial Budget request will be considered at the October 2019 board meeting so that it can be submitted to the Governor's Office by the November deadline.

XIV. Presentation of the Kentucky Board of Education Kelly Award for Business and Education Partnership

Chair Heiner presented the 2019 KBE award, the Kelly Award for Business and Education Partnership. This year's award winner was Tammy Brock, Chief Nursing Officer at Rockcastle Regional Hospital and Respiratory Care Center. Brock was recognized for her collaboration with the Rockcastle Area Technology Center (ATC) in developing a strategic partnership leading to student achievement and workforce outcomes in healthcare careers. Under her direction, Rockcastle Regional Hospital was the first healthcare employer in the state to utilize the Tech Ready Apprentices for Careers in Kentucky (TRACK) youth pre-apprenticeship program.

XV. LUNCH- 12:00 a.m. – 1:00 p.m. ET: No business conducted.

XVI. Public Comment Segment

No public comments were made at the meeting.

XX. Curriculum, Instruction and Assessment Committee Meeting – KDE Room 514, State Board Room

Committee Chair Gary Houchens called the Committee Meeting to order at 1:06 p.m.
Members present: Chair Gary Houchens, Tracey Cusick, Alesa Johnson and Milton Seymore.

A quorum was present.

A. Action/Discussion Items

1. Amendment to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines (Second Reading)

KDE Associate Commissioner Rhonda Sims, Division Director Jennifer Stafford and Policy Advisor Michael Hackworth presented proposed amendments to 703 KAR 5:240 in order to align with Kentucky's new accountability regulation, 703 KAR 5:270, along with state and federal requirements. No revisions were made since the first reading.

Motion to accept the recommendations for the amendment of 703 KAR 5:240 was made by Tracy Cusick and seconded by Alesa Johnson. The motion passed with unanimous voice vote.

2. Approval of Quality of School Climate and Safety Measures

KDE Associate Commissioner Rhonda Sims, Division Director Jennifer Stafford and Policy Advisor Michael Hackworth presented the need to approve the method of a student survey to implement the new indicator, the Quality of School Climate and Safety Indicator, in Kentucky's Accountability System. The proposed method would entail students responding to a Kentucky-developed survey administered during state testing.

Motion to approve the recommendation of a student survey as the method for the Quality of School Climate and Safety Indicator was made by Alesa Johnson and seconded by Tracey Cusick. The motion passed with unanimous voice vote.

3. Amendment to 703 KAR 5:280, School Improvement Procedures (Second Reading)

KDE Associate Commissioner Kelly Foster and Policy Advisor Whitney Crowe presented proposed amendments to 703 KAR 5:280 in order to implement the changes Senate Bill 175 (2019) made to the identification of schools for targeted support and improvement (TSI), as well as to align the regulation with KRS 160.346, as amended

by Senate Bill 175 (2019), and proposed revisions to Kentucky's Consolidated State Plan.

Motion to accept the recommendations for the amendment of 703 KAR 5:280 was made by Alesa Johnson and seconded by Milton Seymore. The motion passed with unanimous voice vote.

4. Renewal of Owensboro Independent Schools and Owsley County Schools as Districts of Innovation

Associate Commissioner Kelly Foster and Division Director David Cook presented background information on the original application of Owensboro Independent and Owsley County Schools as Districts of Innovation beginning in the 2014-2015 school year. Cook shared programmatic information used as part of the District of Innovation Scoring Rubric for the two districts, along with the subsequent recommendation to approve the continuation of the districts operating as Districts of Innovation for up to five additional years.

Motion to accept the recommendations for the renewal of Owensboro Independent and Owsley County Schools as Districts of Innovation was made by Tracey Cusick and seconded by Milton Seymore. The motion passed with unanimous voice vote.

5. Adoption of Kentucky School for the Blind (KSB) and Kentucky School for the Deaf (KSD) General Policies

KDE Associate Commissioner Gretta Hylton and Division Director Kevin Stull presented proposed amended or new policies to align with model Kentucky School Boards Association (KSBA) policies and ensure compliance with state and federal statutes and regulations for the KSB and KSD.

Motion to adopt the amended policies and procedures was made by Alesa Johnson and seconded by Tracey Cusick. The motion passed with unanimous voice vote.

6. Annual Updates to the Kentucky Tech Policies and Procedures Manual

KDE Associate Commissioner David Horseman, Division Director Tom Thompson and Assistant General Counsel Ashley Lant presented amendments to the Kentucky Tech Policies and Procedures Manual to align and update the policies and procedures with pertinent new legislation, as well as best practices recommended by the KSBA.

Motion to adopt the amended policies and procedures was made by Milton Seymore and seconded by Tracey Cusick. The motion passed with unanimous voice vote.

B. Review Items

1. Amendment to 704 KAR 3:303, Required Academic Standards (First Reading)

KDE Associate Commissioner David Horseman, Division Director Pam Moore and Program Consultant Teresa Rogers shared proposed amendments to 704 KAR 3:303 to strike all former reference to the previous vocational studies standards found within the document incorporated by reference as a result of new standards being developed and promulgated in a new administrative regulation, 704 KAR 8:080 (Required academic standards for career studies and financial literacy).

2. New Regulation, 704 KAR 8:080, Required Academic Standards in Career Studies (First Reading)

KDE Associate Commissioner David Horseman, Division Director Pam Moore and Program Consultant Teresa Rogers shared the purpose of this new administrative regulation, 704 KAR 8:080, which establishes the new content standards and incorporates by reference the Kentucky Academic Standards for Career Studies. The new standards also include requirements related to Essential Workplace Ethics Instruction, Financial Literacy and graduation requirements and the Individual Learning Plan (ILP).

3. Amendment to 780 KAR 2:040, Live Work Projects (First Reading)

KDE Associate Commissioner David Horseman and Division Director Tom Thompson discussed proposed amendments to 780 KAR 2:040, Live work projects, which seek to bring the regulation and the document incorporated by reference up-to-date and provide clarifying amendments that are aimed at ensuring relevant and appropriate practices in state-operated secondary area vocational education and technology centers.

4. Amendment to 780 KAR 2:060, Discipline of Students (First Reading)

KDE Associate Commissioner David Horseman and Division Director Tom Thompson discussed proposed amendments to 780 KAR 2:060, Discipline of students, which are meant to remove outdated statutory references and ensure compliant data reporting practices regarding the discipline of Kentucky TECH students.

Alesa Johnson motioned to adjourn the meeting, Tracey Cusick seconded the motion and it was approved by unanimous voice vote.

The meeting adjourned at 2:15 p.m.

XVIII. Finance Committee Meeting – KDE Room 532, Commissioner’s Conference Room

Committee Chair Kathy Gornik called the Finance Committee Meeting to order at 1:05 p.m. Members present: Kathy Gornik, Rich Gimmel and Laura Timberlake
A quorum was present.

A. Action/Discussion Items

1. Approval of New District Facility Plans

KDE Associate Commissioner Robin Kinney and Director Donna Duncan and Greg Dunbar discussed proposed new district facility plans for Breckinridge County, Butler County, Cloverport Independent, Covington Independent, Dawson Springs Independent, Fairview Independent, Henry County, Johnson County, Lewis County, Logan County, Madison County, Magoffin County, Murray Independent, Nelson County, Paintsville Independent, Powell County, Simpson County, Taylor County, Trigg County, Union County, Wayne County and Webster County School Districts.in accordance with 702 KAR 4:180

Motion to approve new district facility plans for Breckinridge County, Butler County, Cloverport Independent, Covington Independent, Dawson Springs Independent, Fairview Independent, Henry County, Johnson County, Lewis County, Logan County, Madison County, Magoffin County, Murray Independent, Nelson County, Paintsville Independent, Powell County, Simpson County, Taylor County, Trigg County, Union County, Wayne County and Webster County School Districts was made by Rich Gimmel and seconded by Laura Timberlake. The motion passed with unanimous voice vote.

2. Approval of District Facility Plan Amendments

KDE Associate Commissioner Robin Kinney and Division Director Donna Duncan presented a proposed amended district facility plans for the Jefferson County School District in accordance with 702 KAR 4:180.

Motion to approve the amended district facility plan for the Jefferson County School District was made by Laura Timberlake and seconded by Rich Gimmel. The motion passed with unanimous voice vote.

3. Approval of 2018-2019 Local District Tax Rates Levied

KDE Associate Commissioner Robin Kinney and Division Director Donna Duncan presented an amendment to the 2018-2019 Local District Tax Rates Levied for the Bracken County Board of Education in accordance with KRS 160.470.

Motion to approve the amended 2018-2019 Local District Tax Rates Levied was made by Laura Timberlake and seconded by Hal Heiner. The motion passed with unanimous voice vote.

B. Review Items

1. Review of 2020-2022 Biennial Budget

KDE Associate Commissioner Robin Kinney and Division Director Charles Harman continued conversations in the June meeting's Finance Committee regarding the development of the department's 2020-2022 Budget Request. In addition to discussing additional budget requests (ABRs), Kinney discussed the 2020-2022 Biennial Budget Request process for final review and submission, and the Office of the State Budget Director's Budget Instructions as applicable to the KDE.

Hal Heiner motioned to adjourn the meeting, Rich Gimmel seconded the motion and it was approved by unanimous voice vote.

The meeting adjourned at 2:37 p.m.

XXII. Operations Management Committee – KDE 5th Floor, Room 516

Chair Papalia called the meeting to order at 1:25 p.m.

Members present: Joe Papalia, Ben Cundiff and Amanda Stamper

A quorum was present.

A. Action/Discussion Items

1. Approval of KETS K-12 Operational Technology Needs for School Year 2019-2020

KDE Associate Commissioner David Couch and Division Director Marty Park presented for approval information on the 2018-2024 Master Plan for Education Technology which represents a statewide projection outlining the needs for KY K-12 education technology operational management.

Motion to approve the annual KETS operational needs for 2019-2020 as presented was made by Amanda Stamper and seconded by Ben Cundiff. The motion passed with unanimous voice vote.

2. Approval of KETS Operational Plan for School Year 2019-2020

KDE Associate Commissioner David Couch and Division Director Marty Park presented for approval information on the use and disbursement of the SY 2019-2020 KETS operational management resources of \$15.4M in accordance with KRS 157.665(3) to help address the KY K12 education technology operational management needs.

Motion to approve the use and disbursement of the SY 2019-2020 KETS operational plan in the amount of \$15.4M was made by Amanda Stamper and seconded by Ben Cundiff. The motion passed with unanimous voice vote.

Ben Cundiff motioned to adjourn the meeting, Amanda Stamper seconded the motion and it was approved by unanimous voice vote.

The meeting adjourned at 1:39 p.m.

XX. Report of the Curriculum, Instruction and Assessment Committee on Action/Discussion Items

Chair Houchens presented on behalf of the Curriculum, Instruction and Assessment Committee and moved approval of the following items:

1. Amendment to 703 KAR 5:240, Accountability Administrative Procedures and Guidelines

Chair Heiner requested a voice vote. Passed unanimously.

2. Approval of Quality of School Climate and Safety Measures

Chair Heiner requested a voice vote. Passed unanimously.

3. Amendment to 703 KAR 5:280, School Improvement Procedures

Chair Heiner requested a voice vote. Passed unanimously.

4. Renewal of Owensboro Independent Schools and Owsley County Schools as Districts of Innovation

Chair Heiner requested a voice vote. Passed unanimously.

5. Adoption of Kentucky School for the Blind and Kentucky School for the Deaf General Policies

Chair Heiner requested a voice vote. Passed unanimously.

6. Annual Updates to KY Tech Policies & Procedures

Chair Heiner requested a voice vote. Passed unanimously.

XXI. Report of the Finance Committee on Action/Discussion Items

Chair Gornik presented on behalf of the Finance Committee and moved approval of the following items:

1. New District Facility Plans: Breckinridge County, Butler County, Cloverport Independent, Covington Independent, Dawson Springs Independent, Fairview Independent, Henry County, Johnson County, Lewis County, Logan County,

Madison County, Magoffin County, Murray Independent, Nelson County, Paintsville Independent, Powell County, Simpson County, Taylor County, Trigg County, Union County, Wayne County and Webster County School Districts

Chair Heiner requested a voice vote. Passed unanimously.

2. Approval of District Facility Plan Amendment for Jefferson County School District

Chair Heiner requested a voice vote. Passed unanimously.

3. Approval of 2018-2019 Local District Tax Rates Levied

Chair Heiner requested a voice vote. Passed unanimously.

XXII. Report of the Operations Management Committee on Action/Discussion Items

Chair Papalia presented on behalf of the Operations Management Committee and moved approval of the following items:

1. Approval of KETS K-12 Operational Technology Needs for School Year 2019-2020

Chair Heiner requested a voice vote. Passed unanimously.

2. Approval of KETS K-12 Operational Plan for School Year 2019-2020

Chair Heiner requested a voice vote. Passed unanimously.

XXIII. Internal Board Business

A. Amendment of October's Kentucky Board of Education Meeting Location to the Laurel County Board of Education GC Garland Building, 710 North Main Street, London, KY 40741 (Action/Discussion Item)

Chair Heiner discussed that the previously decided location, the Laurel County Innovation Center, would not be able to accommodate visitors due to student safety and privacy concerns and proposed the October meeting be held at the Laurel County Board of Education, G.C. Garland Building in London, KY.

Motion to approve the location of the October board meeting by Ben Cusick and seconded by Kathy Gornik. The motion passed with unanimous voice vote.

B. Assignment of Board Awards Recommendations to Committee

Chair Heiner shared that with the adoption of newly revised and consistent rewards, the awards committee also will need to meet during each board meeting. As such, Chair

Heiner shared, effective with the October meeting, the matter of KBE awards will be addressed in the Operations Management Committee.

C. Approval of Meeting Dates for 2022 (Action/Discussion Item)

Chair Heiner led a discussion with board members regarding the establishment of meeting dates for 2022, pursuant to KBE policy.

Motion to approve the 2022 meeting dates by Joe Papalia and seconded by Ben Cusick. The motion passed with unanimous voice vote.

XXIV. Information Items (Review Item)

KDE General Counsel Deanna Durrett discussed the progress of the KBE regulations in the regulatory process. Deanna Durrett also shared the requirements of House Bill 4 (2019) which extends the length of time associated with the regulatory process.

A. Hearing Officer's Report

1. Statement of Consideration for 701 KAR 5:090, Teacher Disciplinary Hearings

Motion to approve the Statement of Consideration for 701 KAR 5:090 and the amendment to the regulation by Laura Timberlake and seconded by Kathy Gornik. The motion passed with unanimous voice.

2. Litigation Report

KDE General Counsel Deanna Counsel presented the litigation report which provides updates to the KBE on pending litigation involving the KBE and/or KDE.

XXV. Adjournment

Alesa Johnson motioned to adjourn the meeting, Ben Cusick seconded the motion and it was approved by unanimous voice vote.

The meeting adjourned at 3:39 p.m.