

1 **Education and Workforce Development Cabinet**

2 **Kentucky Board of Education**

3 **Department of Education**

4 **(New Administrative Regulation)**

5 **703 KAR 5:220. School and District Accountability Recognition and Support**

6 RELATES TO: KRS 158.6453, KRS 158.6455

7 STATUTORY AUTHORITY: KRS 158.6453; KRS 158.6455

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 158.6453 requires the Kentucky Board
9 of Education to create and implement a balanced statewide assessment program that measures
10 the achievement of students, schools and districts, complies with the federal No Child Left
11 Behind Act of 2001, 20 U.S.C. secs. 6301 et seq., or its successor and ensures accountability.
12 KRS 158.6455 requires the Kentucky Board of Education, following revision of academic
13 standards and development of a student assessment program, to create an accountability system
14 to classify schools and districts, including a formula for accountability, goals for improvement,
15 and rewards and consequences.

16 Section 1. Overall Score for Accountability Recognition and Support. (1) An Overall Score shall
17 be used to classify schools and districts for recognition and support. The Overall Score shall be
18 a compilation of the following three accountability components:

19 (a) Next -Generation Learners;

20 (b) Next-Generation Instructional Programs and Support; and

1 (c) Next-Generation Professionals

2 Section 2. Weighting of Components Comprising the Overall Score. The total number of points
3 earned in each component of Next-Generation Learners, Next-Generation Instructional Programs
4 and Support, and Next-Generation Professionals shall be weighted in the following manner to
5 obtain the Overall Score:

Grade Range	Next-Generation Learner	Next-Generation Instructional Programs and Support	Next-Generation Professionals	Total Overall Score
Elementary	<u>50</u> [60]	<u>30</u> [20]	20	100
Middle	<u>50</u> [60]	<u>30</u> [20]	20	100
High	<u>50</u> [60]	<u>30</u> [20]	20	100

6 (1) The total number of points in the Overall Score shall classify schools and districts into one of
7 three classifications:

8 (a) Distinguished

9 (b) Proficient

10 (c) Needs Improvement

11 (2) The placement of schools and districts into one of three classifications and the establishment
12 of goals shall use a standard-setting process. The process shall be advised by the National
13 Technical Advisory Panel on Assessment and Accountability, School Curriculum Assessment
14 and Accountability Council and the Office of Education Accountability. The process shall use
15 accepted technical procedures and involve Kentucky school and district administrators and

1 teachers. The Kentucky Board of Education shall review the process and approve the final cut
2 scores and goals that determine placement in one of the three classifications.

3 (3) If data cannot be calculated for any component, the weights shall be redistributed equally to
4 components that shall be reported for the school or district.

5 (4) Reporting of component scores and the Overall Score shall include the numeric score and the
6 classification resulting from that score. A directional indicator shall also be reported with the
7 overall and component scores to indicate whether the scores are advancing or declining from
8 previous year scores.

9 Section 3: Schools and districts shall be placed in categories for the purposes of recognition and
10 support based upon their Overall Score and classification.

11 Section 4. Categories for Recognition and Support. Categories for the purposes of recognition
12 and support shall be as follows:

13 (1) “Kentucky Schools or Districts of Distinction” shall include schools and districts that are
14 classified as Distinguished based on their Overall Score that have also received school or district
15 accreditation from a recognized accreditation organization. Districts shall not qualify as a
16 District of Distinction if any of their schools are rated as persistently lowest-achieving schools.

17 (2) “Kentucky Schools or Districts of High Distinction” shall include Kentucky Schools or
18 Districts of Distinction that score within the top 5% of schools or districts on the Overall Score.

19 (3) “Kentucky Proficient Schools or Districts” shall include schools or districts that score in the
20 Proficient **classification** of schools or districts on the Overall Score.

1 (4) “Kentucky Schools or Districts On the Move” shall include schools or districts that score in
2 the Proficient or Needs Improvement **classification** of schools or districts on the Overall Score
3 that also:

4 (a) Move from low to middle or middle to high levels within the Needs Improvement
5 **classification**;

6 (b) Show improvement in the areas of

7 1. Next-Generation Learners;

8 2. Next-Generation Instructional Programs and Support; and

9 3. Next-Generation Professionals; or

10 (c) Attain an Overall Score indicating the school and district is in the top 10% of improvement.

11 (6) “Needs Improvement Schools or Districts” means schools or districts that score in the Needs
12 Improvement **classification** of schools or districts on the Overall Score. Needs Improvement
13 Schools or Districts shall be divided into three levels: low, middle and high.

14 Section 5. Recognition. Schools and districts shall receive recognition as follows:

15 (1) Kentucky Schools and Districts of High Distinction shall receive the following recognition:

16 (a) Kentucky Department of Education (KDE) approved web logo called “Kentucky School (or
17 District) of High Distinction”

18 (b) Platinum Flag of Excellence

19 (c) Ceremony with the Commissioner of Education.

20 (2) Kentucky Schools and Districts of Distinction shall receive the following recognition:

21 (a) KDE approved web logo called “Kentucky School (or District) of Distinction”

22 (b) Gold Flag of Excellence

1 (3) Kentucky Proficient Schools and Districts shall receive the following recognition:

2 (a) KDE approved web logo called “Kentucky Proficient School (or District)”

3 (b) Blue Flag of Excellence

4 (4) Kentucky Schools and Districts On the Move shall receive the following recognition:

5 (a) KDE approved web logo called “Kentucky School (or District) on the Move”

6 (b) Green Flag of Excellence.

7 Section 6. Support for districts. In addition to compliance with all guidelines in **KRS 160.346**,

8 districts shall receive support, as follows:

9 (1) **Supports and consequences shall be applied to the lowest scoring 20% of districts in the**

10 **Needs Improvement classification as prescribed below:**

11 (a) **A district that is classified in the lowest 20% of the Needs Improvement classification for the**

12 **first time shall** revise the district comprehensive improvement plan (**CDIP**) ~~and submit it for~~

13 ~~approval by KDE~~ **within** ninety (90) days of receiving the annual accountability data. **The**

14 **district shall use a variety of relevant sources including perception data gathered from the**

15 **administration of a valid and reliable measure of teaching and learning conditions to inform the**

16 **needs assessment required by the plan.** The plan shall include the support to be provided to

17 schools by the district. ~~Upon approval by KDE,~~ **The CDIP** shall be posted to the district website,

18 and shall address the following areas:

19 1. Curriculum alignment within the school(s);

20 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet

21 student needs and support proficient student work;

22 3. Professional development to address the goals of the plan;

- 1 4. Parental communication and involvement;
 - 2 5. Attendance improvement and dropout prevention;
 - 3 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
 - 4 readiness and/or graduation rate;
 - 5 7. Activities to target demonstrators of weakness in program reviews;
 - 6 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
 - 7 9. Technical assistance that will be accessed.
- 8 (b) A district that is classified in the lowest 20% of the Needs Improvement classification for the
- 9 second or more consecutive times shall revise the CDIP as specified in subparagraph (a) of this
- 10 paragraph and submit it for approval by KDE within ninety (90) days of receiving the annual
- 11 accountability data. Upon approval by KDE, the CDIP shall be posted to the district website.
- 12 (c) In addition to the requirements of subparagraph (b) of this paragraph, a district that is
- 13 classified in the lowest 20% in the Need Improvement classification for third or more
- 14 consecutive time shall engage in the following:
- 15 (i) Participate in a set of improvement strategies outlined by a district-wide accreditation process.
 - 16 (ii) If directed by the KDE, receive the assignment of a high-achieving partner district of similar
 - 17 demographics for mentor activities as directed by KDE.
 - 18 (iii) Accept ongoing resources throughout the year as assigned or approved by the KDE.
- 19 (2) Supports and consequences shall be applied as prescribed below to all the remaining districts
- 20 within the classification of Needs Improvement not identified in Section 6 (1):
- 21 (a) A district that is classified in the Needs Improvement classification for the first time shall
 - 22 revise the CDIP ~~and submit it for approval by KDE~~ within ninety (90) days of receiving the

1 annual accountability data. The district shall use a variety of relevant sources including
2 perception data gathered from the administration of a valid and reliable measure of teaching and
3 learning conditions to inform the needs assessment required by the plan. The plan shall include
4 the support to be provided to schools by the district. The district plan shall be posted to the
5 district website and shall address the following areas:

- 6 1. Curriculum alignment within the school(s);
- 7 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
8 student needs and support proficient student work;
- 9 3. Professional development to address the goals of the plan;
- 10 4. Parental communication and involvement;
- 11 5. Attendance improvement and dropout prevention;
- 12 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
13 readiness and/or graduation rate;
- 14 7. Activities to target demonstrators of weakness in program reviews;
- 15 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
- 16 9. Technical assistance that will be accessed.

17 (3) If a district remains in the Needs Improvement classification and does not meet the
18 definitions of being a Kentucky District On the Move for three consecutive compilations of the
19 Overall Score, it shall comply with the strategies outlined in Section 6 (1)(b) above. If a district
20 remains in the Needs Improvement classification and does not meet the definitions of being a
21 Kentucky District On the Move for four consecutive compilations of the Overall Score, it shall
22 comply with the strategies outlined in Section 6 (1)(c) above.

1 (4) KDE shall review and approve all submissions required by this Section, monitor
2 implementation of district plans and provide necessary guidance based upon information
3 gathered from sources such as, but not limited to, the following:

4 (a) Progress reports from the district

5 (b) Data reviews

6 (c) On-site observations

7 Section 7. Support for schools. In addition to compliance with all guidelines in **KRS 160.346**,
8 identified schools shall receive support, as follows:

9 (1) Schools identified pursuant to KRS 160.346 as “Persistently low-achieving schools” shall
10 receive assistance and support as required by that statute.

11 (2) A district containing a school(s) in the lowest 20% of elementary, 20% of middle **or** 20% of
12 high schools remaining in the Needs Improvement **classification** after identification of the
13 persistently lowest achieving schools shall require the school(s) to **comply with the following**:

14 (a) **A school that is classified in the lowest 20% of the Needs Improvement classification for the**
15 **first time shall** revise the school comprehensive improvement plan (**CSIP**) and submit it for
16 approval by the district within ninety (90) days of receiving the annual accountability data. **The**
17 **school shall use a variety of relevant sources including perception data gathered from the**
18 **administration of a valid and reliable measure of teaching and learning conditions to inform the**
19 **needs assessment required by the plan.** The school’s plan shall include the support that will be
20 provided by the district. ~~and shall be approved by the district prior to submission to the KDE.~~

21 Upon approval by **the district**, the school plan shall be posted to the appropriate school website,
22 and shall address the following areas:

- 1 1. Curriculum alignment within the school;
 - 2 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
 - 3 student needs and support proficient student work;
 - 4 3. Professional development to address the goals of the plan;
 - 5 4. Parental communication and involvement;
 - 6 5. Attendance improvement and dropout prevention;
 - 7 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
 - 8 readiness and/or graduation rate;
 - 9 7. Activities to target demonstrators of weakness in program reviews;
 - 10 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and
 - 11 9. Technical assistance that will be accessed.
- 12 (b) A school that is classified in the lowest 20% of the Needs Improvement classification for the
- 13 second or more consecutive times shall revise the CSIP as specified in subparagraph (a) of this
- 14 paragraph and submit it for approval by the district prior to submission for approval by KDE
- 15 within ninety (90) days of receiving the annual accountability data. Upon approval by KDE, the
- 16 CSIP shall be posted to the school website.
- 17 (c) In addition to the requirements of subparagraph (b) of this paragraph, a school that is
- 18 classified in the lowest 20% in the Need Improvement classification for third or more
- 19 consecutive time shall engage in the following:
- 20
- 21 (i) Participate in a set of improvement strategies outlined by either a school-level or a district-
 - 22 wide accreditation process.

1 (ii) If directed by the KDE, receive the assignment of a high-achieving partner school of similar
2 demographics for mentor activities as directed by KDE.

3 (iii) Accept ongoing resources throughout the year as assigned or approved by the KDE.

4 (3) A district containing a school(s) among all the remaining schools within the Needs
5 Improvement **classification** that are not identified in Section 7 (2) above shall require the
6 school(s) to:

7 (a) **Revise the CSIP** and submit it for approval by the district within ninety (90) days of receiving
8 the annual accountability data. **The school shall use a variety of relevant sources including**
9 **perception data gathered from the administration of a valid and reliable measure of teaching and**
10 **learning conditions to inform the needs assessment required by the plan.** The school's plan shall
11 include the support that will be provided by the district. ~~and shall be approved by the district~~
12 ~~prior to submission to the KDE.~~ The school plan shall be posted to the appropriate school
13 website and shall address the following areas:

14 1. Curriculum alignment within the school;

15 2. Evaluation and assessment strategies to continuously monitor and modify instruction to meet
16 student needs and support proficient student work;

17 3. Professional development to address the goals of the plan;

18 4. Parental communication and involvement;

19 5. Attendance improvement and dropout prevention;

20 6. Activities to target the underperforming areas of achievement, gap, growth, college/career
21 readiness and/or graduation rate;

22 **7. Activities to target demonstrators of weakness in program reviews;**

1 8. Activities to target areas of need identified in teacher and leader effectiveness measures; and

2 9. Technical assistance that will be accessed.

3 (4) If a school remains in the Needs Improvement **classification** and does not meet the definitions
4 of being a Kentucky District On the Move for three consecutive **compilations of the Overall**
5 **Score**, it shall comply with the strategies outlined in Section 7 (2)(b) above. **If a district remains**
6 **in the Needs Improvement classification and does not meet the definitions of being a Kentucky**
7 **District On the Move for four consecutive compilations of the Overall Score, it shall comply**
8 **with the strategies outlined in Section 7 (2)(c) above.**

9

10 (5) KDE shall review and approve all submissions required by this Section, monitor
11 implementation of district plans and provide necessary guidance based upon information
12 gathered from sources such as, but not limited to, the following:

13 (a) Progress reports from the district

14 (b) Data reviews

15 (c) On-site observations

16 Section 8. Timelines and Conditions for Recognition and Support. (1) Timelines for
17 implementing elements of the Unbridled Learning: College and Career Ready for All
18 Accountability System shall be as follows:

19 (a) Using the Overall Score from the 2011-12 school year and each school year thereafter, all
20 schools and districts shall be placed into one of the three classifications within the Unbridled
21 Learning: College and Career Ready for All Accountability System.

1 (b) Beginning with the 2011-12 school year, schools qualifying as persistently low-achieving
2 schools shall receive consequences as outlined in KRS 160.346.

3 (c) Using the Overall Score from the 2011-2012 school year and each school year thereafter, all
4 eligible schools and districts shall receive recognition and support as outlined in this regulation.

5 (2) Schools and districts identified in Section 4 shall continue to meet eligibility criteria in order
6 to retain their designation and receive recognition for that category.

7 Section 9. Student group performance measure. (1) The Kentucky Department of Education
8 shall create an annual report for all schools and districts showing the individual achievement
9 scores in each assessed subject for student groups that form the Non-Duplicated Gap Group
10 defined in 703 KAR 5:200. Student groups with more than twenty-five (25) students within
11 assessment grades in a school or district shall have a reported score. The Kentucky Department
12 of Education shall flag all student group performance that falls below the second and third
13 standard deviation compared to all students in the state. Schools and districts with any flagged
14 student groups falling below the third standard deviation shall revise the school and district
15 improvement plans to implement the steps outlined in KRS 158.649. Schools and districts shall
16 utilize guidance from The Commissioner's Raising Achievement/Closing Gaps Council when
17 developing the revised plans.

18 (2) If a school's or district's same student group score remains below the third standard deviation
19 compared to all students in the state for two or more consecutive years, the following additional
20 actions shall occur:

21 (a) Continue actions undertaken during the first year of identification.

1 (b) If directed by the Kentucky Department of Education, receive the assignment of a high
2 achieving partner school/district or focus team for mentor activities as directed by the Kentucky
3 Department of Education.

4 (c) Accept ongoing resources throughout the year as assigned or approved by the Kentucky
5 Department of Education.

6 (3) If a school's or district's same student group remains below the third standard deviation
7 compared to all students in the state for three consecutive years, the following shall occur:

8 (a) The Kentucky Commissioner of Education shall designate schools and districts with
9 continuous low performance of three years or more in any specific student group as a targeted
10 school for assistance.

11 (b) The school or district shall undergo a targeted audit focusing on the specific group of students
12 with low scores. The targeted audit shall provide a report outlining the strengths and deficiencies
13 of the school or district in relation to the group and provide specific support to help the school
14 improve achievement of its student group.