



KENTUCKY DEPARTMENT OF EDUCATION ADVISORY GROUP TOPIC SUMMARY

ADVISORY GROUP: Local Superintendents Advisory Council (LSAC)

MEETING DATE: July 30, 2019

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

Presenters: Rhonda Sims and Michael Hackworth

Summary of Discussion:

Rhonda Sims and Michael Hackworth led the discussion with LSAC committee members on 703 KAR 5:240. The proposed amendments include:

- Aligning the regulation to 703 KAR 5:270, *Kentucky's accountability system*, and to state and federal guidelines;
- Removing the reference of 703 KAR 5:225, *Continuous improvement planning for schools and districts*;
- Removing reference to the Kentucky End of Course assessments at high school;
- Including extraordinary circumstances as a method for students to be exempted from state testing; and,
- Requiring foreign exchange students who have been enrolled 100 days be tested and included in accountability.

One committee member asked when extraordinary circumstances are used. Rhonda Sims answered his question by providing several examples.

Action Taken:

The LSAC approved the proposed changes to 703 KAR 5:240.

Follow-up Required:

No follow-up was required.

Agenda Item: Amendment to 703 KAR 5:280, School Improvement Procedures (Second Reading)

Presenter: Whitney Crowe

Summary of Discussion:

Superintendents Tilford, Lyon County Schools, and Rust, Campbell County Schools, were concerned about the language in the exit criteria that now requires schools identified for CSI to demonstrate “progress on all indicators included in Kentucky’s accountability system.” Previously, the language used was simply “continued progress,” which caused some concern and confusion, and the revision was intended not to change anything but rather to clarify as well as align with existing implementation protocols. To summarize the discussion, both superintendents thought it was unfair that a school could, for example, remain in CSI status if it was no longer in the bottom 5% of schools, advanced in two indicators, and maintained or dropped in just one indicator. The superintendents reiterated that a school shouldn’t be in CSI status if it was “doing okay” in all but one indicator. The presenter explained this wasn’t a new requirement or process. This has been in the state plan, which has been vetted several times since 2017 and has now been submitted to the U.S. Department of Education for a second review, as well as in the prior regulation for nearly a year, albeit in vaguer terms. Further, the presenter clarified that, to be identified CSI in the first place, a school had to perform in the bottom 5% of each indicator (e.g. growth, proficiency, and separate academic indicator). To allow exit, which can now occur in as little as one year, because of improvements in a single indicator or only two of the three was contrary to federal law. Specifically, although exit criteria is left to state law, ESSA requires state action be consistent with federal law and, in Section 1111, consistently mandates action in CSI schools be “informed by all indicators.” Exiting a school based on anything less than consideration of the school’s performance in all indicators of the accountability system is not, in the presenter’s opinion, consistent with ESSA.

Superintendent Bobrowski, Owsley County Schools, asked about the type of communications, training, etc. that principals receive regarding the accountability system as well as the entrance and exit criteria for CSI, TSI, and ATSI. Associate Commissioner Simms shared several resources that are available and offered to collaborate with OCIS to develop a module incorporating CSI, TSI, and ATSI entrance/exit criteria. It was also shared that principals in CSI schools where KDE is acting as the turnaround team receive direct support from KDE staff relating to the process for exiting that status.

Superintendent Gilliam, Madison County Schools, asked how clearly the indicators were, in fact, defined in 703 KAR 5:270, which this regulation cross-references. Associate Commissioner Simms confirmed that those are well defined and that recent revisions to that regulation added weights and additional clarity.

Superintendent Green, Pikeville Independent Schools, asked if schools failing to exit CSI status prevented new schools from being identified as CSI. Associate Commissioner Simms explained that CSI was identified annually and that more than 5% of schools could technically be identified as CSI at a time. So, a school remaining in CSI status would not prevent any other school from being identified for CSI but may cause, at any given time, more than 5% of schools to be identified for CSI. Superintendent Green also again questioned whether KDE had adequate staff to support all CSI schools. It was reiterated that, for 2018-2019, KDE was able to serve all CSI schools that chose KDE to conduct the audit/turnaround but that the proven turnaround model of three Education Recovery Staff being in the CSI school daily was not being implemented due to lack of funding and staff. Namely, the Commonwealth School Improvement Fund was cut by the legislature during the 2018 legislative session and, due to this loss of funding, school improvement at the KDE level was being paid entirely by federal dollars.

Action Taken:

LSAC approved the regulation.

Follow-up Required:

None; however, feedback received will be considered as the regulation progresses through the regulatory process.

Agenda Item: Amendment to 704 KAR 8:080, Required Academic Standards in Career Studies (First Reading)

Presenters: David Horseman and Pam Moore

Summary of Discussion:

OCTEST Executive Advisor Leslie Slaughter presented that rationale for the promulgation of a new administrative regulation to address the Career Studies and Financial Literacy standards. OCTEST consultant Teresa Rogers then provided an overview of the standards framework, the development timeline and committees involved, as well as the process utilized to gather feedback on the standards from a variety of stakeholders.

No concerns were noted about the proposed new standards; however, there were several points of discussion among LSAC members.

Superintendent Rust inquired about the new financial literacy graduation requirement and if staff were aware of how schools were planning to implement the requirement. Teresa Rogers stated that the approach differs from district to district. She said that some districts are planning to offer stand-alone courses, while others are planning to create cross-curricular programs that embed the standards across grade levels and content areas. Leslie Slaughter stated that as implementation begins, KDE would be looking for ways to spotlight innovation and share best practices as it relates to the implementation of the financial literacy requirement.

Superintendent Rust expressed his support of the standards and stated that the framework was well-designed to address concerns that he often hears from his community about the skills that students are lacking in the areas of soft skills and financial literacy.

Superintendent Bobrowski discussed the need for more virtual work-based learning opportunities for students and asked KDE to continue exploring ways to expand these opportunities.

Superintendent Rust inquired about postsecondary teacher preparation programs and the extent to which these programs were designed to assist future teachers with career coaching and the implementation of the ILP process. He expressed concern that many teachers are not equipped to carry out these responsibilities effectively with students. LSAC Chair Green expressed his desire to see that ILPs can be accessed by students once they graduate high school. Leslie Slaughter agreed and stated that this was an important piece of criteria for districts to utilize when evaluating ILP tools, whether those be locally-designed or a vendor product.

Action Taken:

No action was taken by the LSAC, as this is a first reading of the regulation. LSAC will review the regulation again prior to the October 2019 KBE meeting.

Follow-up Required:

N/A

Agenda Item: Amendment to 704 KAR 3:303, Required Academic Standards (First Reading)

Presenters: Leslie Slaughter and Teresa Rogers

Summary of Discussion:

OCTEST Executive Advisor Leslie Slaughter presented the regulation and explained the rationale for the amendments to this regulation. Slaughter explained that the amendments are intended to strike all former reference to the state's K-12 "vocational studies" standards, as new standards for Career Studies and Financial Literacy have now been developed and are being promulgated in a new and separate administrative regulation (704 KAR 8:080). No questions or concerns were noted by LSAC members.

Action Taken:

No action was taken by the LSAC, as this is a first reading of the regulation. LSAC will review the regulation again prior to the October 2019 KBE meeting.

Follow-up Required:

N/A

Agenda Item: Amendment to 780 KAR 2:040, Live Work Projects (First Reading)

Presenters: David Horseman and Tom Thompson

Summary of Discussion:

OCTEST Division Director Tom Thompson provided an overview of the proposed amendments to the administrative regulation. No questions or concerns were posed by LSAC members.

Action Taken:

No action was taken by the LSAC, as this is a first reading of the regulation. LSAC will review the regulation again prior to the October 2019 KBE meeting.

Follow-up Required:

N/A

Agenda Item: Amendment to 780 KAR 2:060, Discipline of Students (First Reading)

Presenters: David Horseman and Tom Thompson

Summary of Discussion:

OCTEST Division Director Tom Thompson provided an overview of the proposed amendments to the administrative regulation. Questions and the discussion from LSAC members are summarized below.

Superintendent Tilford inquired about how an ATC suspension impacts the requirements of KRS 158.150, particularly as it relates to the 10-day maximum suspension for exceptional students.

In response, KDE Deputy General Counsel Todd Allen clarified that, in this instance, there would be communication between the Area Technology Center (ATC) and the student's sending high school to determine appropriate disciplinary action taken. He stated that the factual information associated with the incident should determine what disciplinary action is taken, but that the suspension would traditionally implicate the provisions of KRS 158.150. Allen also

noted that Title 707 of the Kentucky Administrative Regulations guide disciplinary action related to special education students. Furthermore, Associate Commissioner Gretta Hylton from the KDE Office of Special Education and Early Learning (OSEEL) clarified that a behavior incident and discipline data would need to be recorded within the student information system in the same manner as other incidences, in that the minutes per day would be recorded with an official start time and end time of the suspension. She explained that these minutes/hours would be applicable to the 10-day maximum referenced in the initial question.

LSAC Chair Green expressed that he and other superintendents want to be supportive of the ATC principals in such decisions and just wanted to ensure understanding so that proper communication could occur.

Superintendent Bobrowski inquired about the work associated with the CTE Task Force and referenced concerns expressed by his community regarding the future of CTE in Kentucky. OCTEST Associate Commissioner David Horseman provided an overview of the CTE Task Force and its responsibilities, as it relates to making recommendations for future governance and funding models of the state's CTE system. Horseman explained that the KDE would be making suggested recommendations to the task force for consideration, with final recommendations from the CTE Task Force being presented prior to the start of the 2020 session of the Kentucky General Assembly.

Superintendent Cox inquired about the process for ATCs to discontinue pathways and programs of study. Specifically, Cox wanted to know how the ATC would go about phasing out a CTE program and replacing it with one that the community/industry finds to be of higher value or demand. Associate Commissioner Horseman explained that the process used within ATCs in this instance is known as a "program viability assessment".

Action Taken:

No action was taken by the LSAC, as this is a first reading of the regulation. LSAC will review the regulation again prior to the October 2019 KBE meeting.

Follow-up Required:

A question was raised during the meeting about the percentage of ATC enrollments that represent special education students. Following the meeting, OCTEST leadership investigated this data and determined that approximately 12% of the ATC student enrollments are identified as special education students, as compared to 10% of traditional high school enrollments statewide.

Agenda Item: Annual Updates to KY Tech Policies and Procedures

Presenters: David Horseman and Tom Thompson

Summary of Discussion:

OCTEST Division Director Tom Thompson shared the proposed amendments to the policies and procedures, which bring them into alignment with new legislation that was passed during the 2019 legislative session. No questions or concerns were presented by LSAC members.

Action Taken:

LSAC approved the proposed amendments to the KY Tech Policies and Procedures

Follow-up Required:

N/A

Agenda Item: Kentucky School for the Blind (KSB) and Kentucky School for the Deaf (KSD) Policy Adoptions and Amendments

Presenter: Gretta Hylton, Associate Commissioner, Office of Special Education and Early Learning (OSEEL)

Summary of Discussion:

KRS 156.070 gives the Kentucky Board of Education (KBE) the management and control of the KSB and KSD. The Kentucky School Boards Association (KSBA) provides a model policy service to local school districts, the KSB and KSD. Policies for the KSB and KSD are updated annually to reflect laws passed during the legislative session. These policies provide consistency between the two schools and are consistent with the policies in place in local school districts across the state, except in those few instances when the unique situation of these schools require otherwise.

Action Taken:

LSAC had no questions or issues related to the proposed updates to policies for KSB and KSD.

Follow-up Required:

No further follow-up is required.

Agenda Item: Approval of Quality of School Climate and Safety Measures

Presenter: Rhonda Sims

Summary of Discussion:

Rhonda Sims presented information related to the Quality of School Climate and Safety Indicator. Ms. Sims defined the definition of school climate, gave background information for inclusion in school accountability and discussed possible constructs to measure quality of school climate and safety. In her presentation, Ms. Sims stated that in August 2019, the Kentucky Board of Education (KBE) will consider the proposed measure of a Kentucky-developed student survey administered during state testing.

Action Taken:

No formal action was taken. The committee members did express concern about the validity and reliability of survey items since it will be included in accountability and timing on when the survey is administered. In addition, one committee member questioned on whether or not if we could use something already in existence.

Follow-up Required:

Staff agreed to look further into the Title I surveys that are administered.