



Guidance for Schools and Districts

April 16, 2021

Senate Bill 128: Supplemental School Year Program *Frequently Asked Questions*

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Timeline and Process

Is there a protocol and/or form that districts are to use in gathering the formal request from the students/families for the additional year?

No. Districts may collect parent requests in any format they choose. Several districts have created Google forms.

Will the Kentucky Board of Education review the applications with the actual student information included?

No. The local school board is responsible for making the determination whether the district will accept or deny all requests for a supplemental year under Senate Bill (SB) 128. The Kentucky Board of Education's role in SB 128 implementation is not reviewing individual student applications. All districts will notify the Kentucky Department of Education (KDE) of their



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Supplemental School Year Program participation status via the GMAP (Grant Management Application and Planning) system. Participating districts will be asked to affirm they will satisfy all listed assurances while districts who decline participation will check the box indicating this decision. The form will be available in GMAP on May 17.

Graduated Seniors

Will graduated seniors need a full class schedule to be eligible?

This is a local determination. SB 128 provides that the local board of education may adopt policies on schedules for graduated seniors participating in the supplemental year program. Graduated seniors must complete each semester to be included in SEEK calculations. To be eligible for athletics, the Kentucky High School Athletic Association has indicated a graduated student must be classified as full time, taking at least four hours of coursework.

If students graduate, what classes will they be required to take?

This is a local determination. The Supplemental School Year Program was established for students to “retake or supplement courses or grades the student has already taken.” That is, courses taken during the supplemental year must be those the student previously was enrolled in or bear a reasonable connection to previous courses to be supplementary in nature. Students may not retake or supplement courses from any school year prior to the 2020-2021 school year.

The Supplemental School Year Program also was not established for students to explore coursework they otherwise didn’t have the opportunity to take. Which courses satisfy a reasonable connection to previous courses and are supplementary in nature will be determined by the local district.

Program Eligibility

Can December graduates return for a supplemental year?

No. Students who graduated in December 2020 are not enrolled in the school district on May 1 and are thus not eligible for a supplemental year.

If a child has been retained in the past, can parents still opt for a “re-do” this year?

Yes. SB 128 specifies that any student enrolled in a Kentucky public school in grades K-12 during the 2020-2021 school year may request to use the 2021-2022 school year as a



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supplemental school year to retake or supplement the courses or grades the student already has taken.

If a student is or turns 18 prior to May 1, can the student make the request for the supplemental school year program?

Yes. [SB 128](#) specifies that any student enrolled in a Kentucky public school in grades kindergarten through 12 during the 2020-2021 school year may request to use the 2021-2022 school year as a supplemental school year to retake or supplement the courses or grades the student already has taken. Students who are age 18 or older on May 1, 2021, and who have the capacity to make these decisions, may complete the request. Districts should follow established policies regarding educational decision-making of students who reach the age of majority.

If an enrolled student ages out before May 1, is this student still eligible for a request for a supplemental year?

Yes. SB 128 specifies that **any student** enrolled in a Kentucky public school in grades kindergarten through 12 during the 2020-2021 school year may request to use the 2021-2022 school year as a supplemental school year to retake or supplement the courses or grades the student already has taken. This applies to what are known as “grade 14” students, with grade 14 being a term used to reference students enrolled in an ungraded grade. These are students who are participating in the alternate assessment program that already have engaged in grade 12 assessments.

This supplemental year applies only to school year 2021-2022. It does not extend the provision of a free, appropriate public education (FAPE) beyond age 21. Therefore, if a younger student utilizes the supplemental year, the student is not guaranteed an extra year beyond age 21 when the student reaches the end of high school.

It is also important to note that students who will be age 21 or older upon return for the supplemental year are not entitled to a FAPE under the Individual with Disabilities Education Act (IDEA). This means that the district would not be able to use IDEA funds for the associated costs of the extra year. However, ESSER funds may be used at the discretion of the district.

Furthermore, SB 128 only provides an exception to state SEEK funding for graduated students returning during the 2021-2022 school year. As such, districts will not receive SEEK funding, including the Exceptional Child Add-on, for ungraduated students once they reach the age of 21.



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Dual Credit/Dual Enrollment

If a 5-year student is dually enrolled, when does the clock start for KEES money?

For questions regarding KEES funds and graduated seniors who return for the supplemental year in 2021-2022, [email Becky Gilpatrick](#), director of student of aid for the Kentucky Higher Education Assistance Authority (KHEAA), or [email Roxanne Lewis](#), KHEAA's KEES program coordinator.

Do graduated seniors returning for a supplemental year still have access to reduced-price college courses?

No. Pursuant to guidance from the Kentucky Council on Postsecondary Education (CPE), graduated seniors who return and wish to take postsecondary coursework during the 2021-2022 year must pursue dual enrollment (defined within KRS 164.002), rather than dual credit coursework. Furthermore, and pursuant to guidance from the Kentucky Higher Education Assistance Authority (KHEAA), it should be noted that students who graduate from high school during the 2020-2021 year are no longer considered high school students for scholarship purposes and, therefore, are not eligible for Dual Credit or Work Ready Dual Credit scholarships during the 2021-2022 year. As such, tuition for courses taken by graduated students will be determined by the postsecondary institution.

Graduation Requirements

Can a student who is eligible to graduate choose to wait and graduate after their 5th year or must they graduate and come back for a 5th-year program?

No. Pursuant to [KRS 158.140](#) upon successful completion of all state and local board requirements, the student *shall* receive a diploma indicating graduation from high school. Therefore, the deferral of graduation is not an option for current seniors who have completed all graduation requirements.

Accountability and Assessment

If a student repeats a state assessment and receives a higher score, which one counts? The guidance says if they don't test, the lower score counts, but it did not clarify if they test and do better.



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It depends on the assessment. For the state summative tests (K-PREP), each year the student is enrolled in a specific grade, the student must take the tests required in that grade. The student's score is included in the school and district results each time he/she takes the tests. If the student is enrolled and does not have an approved medical exemption, the student is expected to test.

If the student does not take the test, the lowest possible score (i.e., Novice performance level) is entered as the student's score and that score is included in school and district results. For the ACT that is used as a measure of postsecondary readiness, Kentucky uses the best score for each content area across all ACT administrations.

What percent of our new accountability model is graduation rate?

703 KAR 5:270 includes the graduation rate as 6% of Kentucky's high school accountability model. The graduation rate calculation in the accountability model is an average of the 4- and 5-year cohort.

The Kentucky Department of Education has applied to the U.S. Department of Education for an accountability waiver for fall 2021. Kentucky anticipates reporting accountability next in fall 2022, including graduation rate at 6% of the total high school accountability score.

Curriculum

Are students who take a “supplemental” year allowed to take any courses outside of their previous course or a supplemental course?

This is a local school district decision. Which courses satisfy a reasonable connection to previous courses and are supplementary in nature will be determined by the local district. The Supplemental School Year Program was established for students to “retake or supplement courses or grades the student already has taken.” That is, courses taken during the supplemental year must be those the student previously was enrolled in or bear a reasonable connection to previous courses to be supplementary in nature.

Students may not retake or supplement courses from any school year prior to the 2020-2021 school year. The Supplemental School Year Program also was not established for students to explore coursework they otherwise didn't have the opportunity to take.



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Transcript

If a student retakes a course, can he/she use the highest grade for their transcript?

Yes, for ungraduated students if the district policy allows it. The bill establishes that “(3) A student under subsection (1) or (2) of this section shall submit the request to the local board of education of the district in which the student is enrolled by May 1, 2021. A local board of education shall not approve or reject requests on an individual basis, but shall determine by June 1, 2021, whether the district shall or shall not accept all requests. *A local board approving the requests shall develop a plan for implementing the supplemental school year and the temporary program for graduated seniors and may adopt policies on grades, schedules, classifications, graduation ceremonies and other operational issues in offering the supplemental school year*” (emphasis added).

As a result, the assigning and reporting of grades is a local decision. The local board may have existing policy in place to address how grades are reported when students repeat a class, or they may adopt policy determining the grading specifically for K-12 students in the supplemental year program.

Once a student has graduated and the diploma is issued, the student’s final grade point average (GPA) should be calculated and cannot be altered at a later date to reflect additional or updated coursework as part of the final GPA or credits toward graduation. High school transcripts must contain an accurate account of the student’s final academic standing at the time the diploma is issued.

Athletics

Please direct all questions on athletics to the Kentucky High School Athletic Association (KHSAA).

KHSAA SB 128 Guidance: <https://khsaa.org/senate-bill-128-supplemental-school-year-program-guidance-for-sports-and-sport-activities/>