

Kentucky Board of Education Regular Meeting June 7, 2017

SUMMARY MINUTES

The Kentucky Board of Education (KBE) held its regular meeting on June 7, 2017 in the State Board Room on the Fifth Floor of the 300 Building, 300 Sower Blvd., Frankfort, Kentucky. The board conducted the following business:

I. Call to Order

Chair Twyman called the meeting to order at 8:30 a.m.

II. Roll Call

Chair Twyman requested that Leslie Slaughter call the roll of members. There were ten (10) voting members present and one (1) absent. Ex-officio member, President Bob King from the Council on Postsecondary Education (CPE), was also present. Additionally, the board welcomed four (4) new non-voting advisors for their first meeting with the KBE. Tracey Cusick, Kathy Gornik, Wayne Lewis and Joe Papalia were appointed to this role, based upon Executive Order (EO) 2017-334 issued by Governor Bevin on June 2, 2017.

Attendance Taken at 8:30 AM:

Present Board Members:

Mr. Grayson Boyd
Mr. Ben Cundiff
Ms. Tracey Cusick
Mr. Richard Gimmel
Ms. Kathy Gornik
Mr. Samuel Hinkle
Mr. Gary Houchens
Mr. Wayne Lewis
Mr. Roger Marcum
Mr. Joe Papalia
Ms. Nawanna Privett
Mr. Milton Seymore
Mr. William Twyman
Ms. Mary Gwen Wheeler

Absent Board Members:

Ms. Alesa Johnson

III. Approval of Minutes from April 11, 2017 Work Session and April 12, 2017 Regular Meeting

Chair Twyman asked for any additions or corrections to the minutes from the April 11 work session and the April 12 regular meeting. Seeing none, he asked for a motion for approval. The motion was made by Grayson Boyd and seconded by Ben Cundiff. The motion carried by a unanimous voice vote.

IV. Introduction of New KDE Employees

The following new Kentucky Department of Education employees were recognized:

Office of Assessment and Accountability

Michael Hackworth, Education Administration Program Manager, Division of Assessment and Support

Robert Davis, Data Base Analyst IT, Division of Assessment Support

Office of Teaching and Learning

Erin Ashcraft, Education Administration Program Consultant II, Division of Next Generation Professionals

Andrea Bartholomew, School Readiness Consultant, Division of Program Standards

Office of Legal, Legislative and Communication Services

Ashley Lant, Staff Attorney II

Hagan Smith, Legal Intern

Heidi Stamper, Administrative Specialist III, Division of Communication Services

Office of Education Technology

Justin Spinks, Resource Management Analyst II, Division of School Technology, Planning and Project Management Services

The KDE Team Member of the Month for June 2017 was recognized. Congratulations to Alex Spurrier, KDE Strategic Research Analyst from the Office of the Commissioner.

V. Report of the Secretary of the Education and Workforce Development Cabinet

Secretary Heiner was unable to attend the June 7 meeting; therefore, Wayne Lewis from the Education and Workforce Development Cabinet presented a report on his behalf. The report urged the board to consider stronger and more comprehensive policies surrounding K-3 reading proficiency across the state. Lewis pointed to other states, such as Ohio and Indiana, as potential model policies to review.

Lewis also noted that just over half of 3rd graders in Kentucky are reading at the proficient and distinguished levels. He stressed that one misconception about such reading policies is that they are

designed to retain students; however, Lewis noted that such policy is more heavily focused on appropriate interventions and supports for students, in order to avoid retention in the first place.

Sam Hinkle inquired as to whether the cost associated with such policy adoption had been evaluated. Lewis noted that, of the states who have implemented such policy, the states with the most success had invested significant financial resources in the area of reading interventions. Hinkle went on to express his belief that the problems surrounding reading proficiency have been a consistent and urgent concern of the state board and his home district for many years. Hinkle's comment came after reading a statement in the report that said "Continuing to ignore the crisis of Kentucky's reading problem is no longer an option." Lewis thanked Hinkle for his comment and clarified that the intention of the report statement was only to convey the message that the state's policy framework and intervention strategies have not been sufficient to see progress to date.

President King from CPE expressed a belief that this issue stems from a fundamental flaw in national philosophy, in that there is an assumption that every child can learn and master content at the exact same pace. He recalled the presentation from the Trigg County Public Schools at the April KBE meeting, where their focus is centered on competency-based education and students moving on when ready.

Board member Milton Seymore urged the board to consider this topic at a future board meeting. Roger Marcum noted that the board may wish to go back and study the history associated with the ungraded primary in Kentucky. He noted that this information may be helpful to the newer board members.

VI. Report of the President of the Council on Postsecondary Education

President King began his report by welcoming the new KBE advisors. He indicated that four new university Presidents will be coming on board at Kentucky's institutions by the end of this year (Kentucky State University, Western Kentucky University, Morehead State University, Northern Kentucky University). He said that the University of Louisville is also under the leadership of an interim President; however, a timeline for hiring a permanent President is still to be determined.

King indicated that work is continuing surrounding the state's college readiness indicators. He also noted collaborative efforts among CPE and the EPSB to continue the improvement of teacher preparation for career and technical education professionals that go through the occupation-based teacher certification process.

VII. Report of the Executive Director of the Education Professional Standards Board

Mr. Adams indicated that the next EPSB meeting will occur on June 19, where the board's goals and new strategic plan will be presented. He also said that the findings of a new supply and demand report (published by the Kentucky Center for Education and Workforce Statistics, or KCEWS) will be shared at the meeting, in addition to amendments to the state's proficiency regulation that allows current and potential teachers to seek additional certification options. Adams shared that an ad-hoc committee had been charged with exploring additional recommendations for the attainment of Rank

II status by Kentucky's teachers. He said that the recommendations are to be released in June, with action by the EPSB at their August meeting.

Roger Marcum took the time to thank Mr. Adams for his commitment to the KBE. Marcum noted Adams' willingness to stay for and engage in the board's full agenda, when possible, and acknowledged his dedication of time for doing so. Adams noted the importance of collaboration among the EPSB and KBE.

Chair Twyman inquired about whether or not the state currently has a shortage of teachers in rural areas of the state. Adams explained that the state does not technically have a "shortage" of certified teachers; however, the state does have a distribution problem. He explained that the state is producing enough graduates to fill every vacant position, but that many teacher candidates in Kentucky are not willing to relocate or commute to where the jobs are. Adams noted the work underway with a secondary career pathway for teaching, which is allowing rural areas of the state to "grow their own" teaching workforce.

VIII. Report of the Commissioner of Education

Commissioner Pruitt provided an update on the Kentucky School for the Blind (KSB) and the Kentucky School for the Deaf (KSD). He spoke about many of the successful end-of-year activities at both schools, including graduations, prom and the re-opening of the pool at the KSD. Both schools are also undergoing many facility improvements.

Pruitt then spoke about the timeline and process for the revision of the state's mathematics and English/Language Arts standards and he stated that the revision process was officially launched through a press conference on May 15. He also noted that the standards are currently open for public feedback through September 15.

Pruitt also shared that he and KDE Associate Commissioner/General Counsel Kevin Brown recently visited the Georgia Department of Education to learn from the state's education leaders about their implementation of charter schools. While there they also had the opportunity to visit two local charter schools.

Lastly, Pruitt recognized his 2016-17 Commissioner's Student Council members. He thanked them for their leadership and involvement in many of this year's important initiatives. Two of this year's members were in attendance and were recognized by the Commissioner. Those two students were:

- Devin Davis - Scott County High School
- Laura Duke - iLEAD Academy / Owen County High School

After concluding his report, Commissioner Pruitt noted one housekeeping item that is required from the recently-issued executive order. Pruitt noted that the order requires approval from the board for him to appoint an individual to take notes and perform other administrative duties on his behalf. Pruitt requested approval for Leslie Slaughter, KBE Executive Director, to be the individual to perform these tasks. A motion was made by board member Sam Hinkle to approve this request. The motion was seconded by Ben Cundiff. The motion carried by unanimous voice vote.

IX. Kentucky Department of Education (KDE) Strategic Plan (Review Item: 20-minute presentation/discussion) - Karen Dodd

Karen Dodd, Chief Performance Officer for the Kentucky Department of Education (KDE), presented an update on the development of KDE's new strategic plan. Using the strategic planning overview document posted on the board's online portal, Dodd explained that she and her team were seeking input from board members on the draft plan. She clarified that evaluation metrics were still being finalized and were not yet included in the plan.

Dodd pointed out that the proposed strategies reflect the board's new goals, as well as KDE's values of equity, achievement and integrity. She indicated that internal work teams were working through the end of June to finalize the initiatives and action steps that are associated with each goal and strategy. Dodd noted that the next steps include refining the strategies and developing appropriate evaluation metrics.

Several board members noted questions and comments on the strategic plan. Roger Marcum expressed his desire to ensure that, once established, schools and districts are given delivery targets to appropriately gauge their progress towards the state's strategic goals. He stated that the monitoring of such progress should be reflected in the strategic plan and should be meaningful at the local level to schools and districts. Mary Gwen Wheeler agreed with Marcum on this point. She noted that the goals presented were more process-like in nature and that they did not include student-level metrics or outcomes. Wheeler expressed her hope that the strategic plan would include such outcomes. Dodd explained that the KDE goals were focused on internal processes (leading indicators) that involve the entire department, while the state-level goals would be more heavily focused on the students outcomes (lagging indicators).

Chairman Twyman inquired about KDE's timeline for the launching of the new plan. Commissioner Pruitt explained that the intent is to roll out the new strategic plan at the same time that the accountability model is approved (August 2017).

X. 2018-2020 Biennial Budget Baseline Update (Review Item: 30-minute presentation/discussion) - Robin Kinney, Associate Commissioner and Charles Harman, Division Director

KDE Associate Commissioner Robin Kinney and Division Director Charlie Harman presented an update the development of the 2018-2020 biennial budget. Using a PowerPoint posted on the board's online materials site, Harman began to explain the process for developing the baseline budget (personnel, contracts, operating funds and grants) and how these categories of funding are spent. Harman explained that less than 1% of the KDE budget is used for Frankfort-based operations, as all other funding is distributed to schools and districts through formulas and grants.

Board member Roger Marcum inquired about the decrease in funding from fiscal year 2017 to fiscal year 2018. Harman explained that this is due to an anticipated decrease in the per-pupil SEEK funding for next year. Marcum asked about the trend over the last ten (10) years in relation to this.

Harman also spent time clarifying the breakdown of SEEK funds. Rich Gimmel inquired about local nickel taxes and why there is a difference in per-pupil amounts, based on local tax revenues. Gimmel expressed concern that this may be penalizing districts who are able to successfully get the nickel tax passed in their local communities. Harman explained that the nickel tax is matched, which should still serve as an incentive for all school districts to pursue.

Kinney noted that subsequent presentations in August and October would focus on the requests for additional funding that relate to the agency's strategic plan and initiatives. CPE President King and board member Rich Gimmel encouraged the board to review the Learning and Results Services (LARS) line items and their effectiveness as upcoming requests were considered.

Board member Gary Houchens posed a question about the disparity of local funding revenues and that of per-pupil spending by each school district. Houchens noted that the difficulty of identifying disparities, when reviewing the per-pupil spending data on the school report card. Charlie Harman offered to compile a list, by school district, of these multiple sources of data related to revenues and financial spending and present that information to the board at a later date.

**XI. Hearing Officer's Report - Associate Commissioner and General Counsel Kevin Brown
XI.A. Report on the Status of KBE Regulations**

General Counsel Kevin Brown referred to the status report on administrative regulations that was posted on the board's online materials site. Brown summarized the report. There were no questions by KBE members.

XII. Consideration to Remove Fleming and Robertson Counties and Caverna Independent School Districts from State Assistance (Action/Discussion Item: 20-minute presentation/discussion) - Kelly Foster, Associate Commissioner and Robin Kinney, Associate Commissioner

KDE Associate Commissioners Kelly Foster and Robin Kinney came forward for this item. The presentation centered on the recommendation to remove Fleming and Robertson Counties, as well Caverna Independent, from the classification of "state assistance".

As a reminder for the board, Foster opened the presentation by providing an overview of the state assistance and state management process and how districts are determined suitable for such classifications. She then addressed each of the three (3) districts being recommended for removal from state assistance by summarizing the executive summaries highlighting the history of the district, the progress made and the reasons for the recommendation to remove them from the state assistance classification.

While board members commended each district for the progress made operationally, concerns were still noted regarding the academic performance of each district. Commissioner Pruitt explained that there are separate sections of the state law that address each component. Pruitt explained that the statutes guiding state assistance and state management are focused on operational deficiencies (leadership, finances, governance, instructional management, etc.) within a district, while the

statutes that guide the labeling of "focus" and "priority" schools are aimed at addressing academic deficiencies within a particular district. Foster went on to indicate that two of these three districts have chosen to still take advantage of the Education Recovery staff and resources that KDE provides for continuous academic improvement.

Following extensive discussion, a motion was made by Grayson Boyd to remove Fleming County from state assistance. The motion was seconded by Nawanna Privett. The motion passed by a unanimous voice vote.

A second motion was made by Mary Gwen Wheeler to remove Roberson County from state assistance. The motion was seconded by Grayson Boyd. The motion passed by unanimous voice vote.

A third motion motion was made by Gary Houchens to remove Caverna Independent from state assistance. The motion was seconded by Ben Cundiff. The motion passed by unanimous voice vote.

The complete PowerPoint presentation utilized for this agenda item can be viewed on the board's online materials website.

XIII. Curriculum, Instruction and Assessment Committee - Tentative Start Time 10:30 a.m. ET (NOTE: Committees will meet simultaneously, with this meeting in Room 516)

Committee Chair Privett called the meeting to order.

XIII.A. Action/Consent Items

XIII.A.1. Amendments to the Kentucky Tech Policies and Procedures Manual (state-operated area technology centers)

KDE Associate Commissioner Laura Arnold, Executive Advisor Chase Bannister and Division Director David Horseman came forward to present the proposed amendments to the Kentucky Tech Policies and Procedures Manual. Using a summary document found on the board's online materials site, Arnold provided an overview of the recommended changes and justification for each. Bannister explained that there were thirty-two (32) policy changes for consideration. These policies guide the work of the fifty-three (53) area technology centers and their staff across the Commonwealth.

Following discussion, a motion for approval was made by Ben Cundiff and seconded by Sam Hinkle. The motion carried.

XIII.B. Action/Discussion Items

XIII.B.1. 2017-18 Preschool Grant Allotment System and Funding Rates

KDE Associate Commissioner Amanda Ellis presented this agenda item. Ellis utilized a PowerPoint presentation to summarize the information associated with the annual approval of the preschool funding rates. Ellis explained the state's funding formula and a historical overview of state funded preschool enrollment.

Mary Gwen Wheeler asked if the per-pupil allocation was currently adequate and serving the needs of all students enrolled. Ellis explained that this was difficult to measure; however, KDE staff noted that a quality study was currently being conducted by the Prichard Committee for Academic Excellence. KDE Preschool Consultant Bill Buchanan noted that Kentucky currently ranks 21st in the nation in preschool funding and per-pupil spending.

Following discussion, a motion for approval of the 2017-18 preschool grant allotment system and funding rates was made by Sam Hinkle and seconded by Ben Cundiff. Hinkle indicated a request for the motion to also include a statement noting that the committee does not currently believe the funding level for preschool to be adequate. The motion carried.

XIII.B.2. Voluntary Certification of Non-Public Schools

KDE Associate Commissioner Kelly Foster and staff member Neil Watts presented this item, along with Steve Kopyay, a representative from the Non-Public Schools Commission. Kopyay explained the accreditation process and the annual request for the committee's approval.

Mary Gwen Wheeler inquired about the length of accreditation and the reasoning why some schools had a longer period of accreditation than others. Kopyay explained that most schools are given a 5-year approval, unless there is a special circumstance.

Committee Chair Privett called for a motion for approval. The motion was made by Gary Houchens and seconded by Mary Gwen Wheeler. Committee members Ben Cundiff and Sam Hinkle recused themselves from voting on this item, due to a relationship with schools noted on the annual list for accreditation. The motion carried by voice vote.

XIII.B.3. Repeal of 704 KAR 7:050, Student Discipline Guidelines

Associate Commissioner Kelly Foster and Executive Advisor Cassie Blausey from the Office of Continuous Improvement presented the second reading of the repeal of this administrative regulation, along with Todd Allen, KDE Assistant General Counsel.

Blausey provided justification for the repeal. Blausey and Allen discussed initial concerns that were noted by the Office of Education Accountability (OEA); however, Allen stated that KDE legal staff have reviewed all statutory authority that guides this regulation and they do not agree with the concerns noted by OEA. Blausey also stated that the Local Superintendents Advisory Council (LSAC) had expressed support for the regulation's repeal and did not bring forth any concerns.

A motion for approval of repeal of 704 KAR 7:050 was made by Sam Hinkle and seconded by Mary Gwen Wheeler. The motion carried.

XIII.C. Review Items

XIII.C.1. 780 KAR 3:072, Attendance, compensatory time, and leave for certified and equivalent service (First Reading)

Associate Commissioner Laura Arnold, along with Chase Bannister and David Horseman from the Office of Career and Technical Education, presented this regulation for a first reading. Arnold began by explaining the Kentucky Tech personnel system and why the recommended amendments were being proposed.

Arnold explained that the amendments seek to bring the Kentucky Tech system into alignment with local school districts, which will allow for more flexibility in the school's calendar year and expand collaboration and professional learning opportunities. She noted that a focus group had been developed to guide the amendment process. Bannister noted that a webinar was also hosted with area technology center (ATC) principals and teachers to explain the proposed changes.

No action was taken on this item, as it was a review item for the committee. A second reading of the regulation will occur at the August regular meeting.

XIII.C.2. 780 KAR 3:080, Extent and duration of school term, use of school days and extended employment (First Reading)

Laura Arnold, Chase Bannister and David Horseman also presented the first reading of this second administrative regulation. Bannister provided an overview of the proposed amendments, which again seek to bring the Kentucky Tech system calendar into alignment with local feeder school districts.

No questions were noted. No action was taken, as this was a review item that will be heard for a second reading at the August regular meeting.

Committee Chair Privett called for a motion to adjourn. The motion was made by Sam Hinkle and seconded by Gary Houchens. The motion carried.

XIV. Management Committee - Tentative Start Time 10:30 a.m. ET (NOTE: Committees will meet simultaneously, with this meeting in the KBE State Board Room - 514)

The Management Committee was called to order by its chairman, Grayson Boyd.

XIV.A. Action/Consent Items

XIV.A.1. New District Facility Plans: Augusta Independent, Bell County, Bourbon County, Boyd County, Breathitt County, Campbell County, Christian County, Clinton County, East Bernstadt Independent, Grant County, Grayson County, Hardin County, Jackson County, Jefferson County, Kenton County, LaRue County, Lincoln County, Ludlow Independent, Menifee County, Montgomery County, Newport Independent, Oldham County, Pendleton County, Russell Independent, Southgate Independent, Walton-Verona Independent, Wolfe County and Woodford County School Districts

Robin Kinney, Donna Duncan and Greg Dunbar from the KDE Office of Finance and Operations came forward for this agenda item. Approval of facility plans were recommended for the 28 districts.

Following discussion, Committee Chair Boyd called for a motion, second and vote on this item. The motion for approval was made by Rich Gimmel and it was seconded by Milton Seymore. The motion carried by voice vote.

XIV.A.2. District Facility Plan Amendments: Jessamine, Marion, Mercer and Shelby County School Districts

Robin Kinney, Donna Duncan and Greg Dunbar also presented this agenda item. Approval of amended facility plans were recommended for the noted school districts.

After discussion, Committee Chair Boyd called for a motion, second and vote on this item. The motion for approval was made by Roger Marcum and it was seconded by Milton Seymore. The motion carried by voice vote.

XIV.A.3. 2018 Minimum Specifications for School Buses

KDE representatives Robin Kinney, Donna Duncan and Alesa Hanley came forward for this presentation. Amendments were proposed to the Minimum School Bus Specifications Manual. KDE staff clarified that all school buses purchased by vendors must conform to these specifications.

Following questions and discussion, the motion to accept the 2018 minimum school bus specifications was made by Milton Seymore and seconded by Rich Gimmel. The motion carried by a unanimous voice vote.

XIV.A.4. Approval of 2017-18 Local District Indirect Cost Rates

Robin Kinney, Donna Duncan and Chay Ritter from the Office of Finance and Operations came forward to recommend approval of the 2017-18 local indirect cost rates. A document posted on the board's online materials site summarized the indirect cost rates for each of Kentucky's 173 school districts, which are based on audited financial statements. Staff clarified that districts may choose to charge these rates for federal grants, but that they are not required to do so.

Following discussion, a motion for approval was made by Rich Gimmel and seconded by Roger Marcum. The motion carried by unanimous voice vote.

XIV.B. Action/Discussion Items

XIV.B.1. Approval of Capital Funds Requests Guidelines per HB 471

KDE representatives Robin Kinney, Donna Duncan and Chay Ritter also presented this agenda item. Kinney explained that, while this item has been on the KBE agenda in recent months, the item was being brought forth again due to action by the General Assembly. She indicated that the last budget bill, House Bill 303, was amended by no longer permitting these funds to be used for operating expenses by local school districts.

Kinney also explained that in June of 2017 the KBE adopted these guidelines; however, new language in the law places a limit or "cap" on the amount of funding that can be requested by school districts in fiscal year 2018. She noted that the language limits the requests to up to 50% of the three-year trailing average. For this reason, Kinney indicated that the guidelines must be revised and she recommended approval of the amendments.

A motion for approval was made by Roger Marcum and seconded by Milton Seymore. The motion carried by unanimous voice vote.

XIV.B.2. Approval of 2016 Report, 2016 Exceptions and 2018 Plan as Required by 702 KAR 1:115, Annual In-Service Training of District Board Members

KDE Associate Commissioner Kevin Brown and KSBA representative Kerrie Shelling co-presented this annual report. Shelling provided highlights of the report, which included data on the voluntary training hours of local school board members, as well as information on those local board members who had not yet met the mandated minimum training requirements. Shelling expressed a variety of training opportunities that are available to local boards of education.

Board member Roger Marcum inquired about the follow-up action necessary for those individuals who had not yet completed the requirements. Associate Commissioner Kevin Brown indicated that the board must authorize the General Counsel to send follow-up letters explaining the requirements and a timeline for completion. Brown explained that if the training hours are not completed by the specified date, he would then forward a letter to the Office of the Attorney General recommending the removal of the individual from the local school board, which is authorized by state statute.

Roger Marcum moved to approve for KDE General Counsel to proceed with follow-up action on those individuals needing the additional training hours. The motion was seconded by Milton Seymore and it passed by voice vote.

Staff noted that approval was also sought for the 2018 training options for local board members. The motion for adoption of the training options was made by Bill Twyman and seconded by Rich Gimmel. The motion carried by voice vote.

XIV.B.3. Kentucky Educational Technology System (KETS) FY 2018 Unmet Need for Local Education Agencies (LEAs)

KDE Associate Commissioner David Couch and Chief Digital Officer Marty Park presented this agenda item. Couch indicated that this item, as well as the KETS Trust Fund, are annual items that have come before the KBE since 1992.

Couch explained the difference between what is classified as the "essential" versus "optional" technology needs. He referenced annual snapshots that indicate the current status of education technology in Kentucky. Couch indicated that the current unmet need for education technology in Kentucky is approximately \$156M for fiscal year 2018.

A motion to approve the unmet need was made by Roger Marcum and seconded by Milton Seymore. The motion carried.

XIV.B.4. Kentucky Educational Technology System (KETS) Trust Fund - FY 2018 Allocation

KDE Associate Commissioner David Couch and Chief Digital Officer Marty Park also presented this item. Couch explained that the current KETS Trust Fund allocation stands at approximately \$16.4M to address the state's unmet need, in relation to education technology. Couch also indicated that there is intention to require additional state funds for the 2018-2020 biennium that could help address the state's unmet need.

A motion to approve the KETS Trust Fund allocation for fiscal year 2018 was made by Rich Gimmel and seconded by Milton Seymore. The motion carried.

XIV.C. Review Items

XIV.C.1. 702 KAR 7:065, Designation of Agent to Manage Middle and High School Interscholastic Athletics and Revisions in Kentucky High School Athletic Association Bylaws (KHSAA) (First Reading)

KDE Associate Commissioner Kevin Brown and KHSAA Commissioner Julian Tackett presented the first reading of amendments to administrative regulation 702 KAR 7:065. Tackett provided an overview of the changes that were being recommended and referenced a summary document that highlighted the amendments.

Chair Twyman inquired about the authority of the KHSAA to monitor middle school athletics in the Commonwealth. Commissioner Tackett explained that the KHSAA Board of Control does not currently govern middle school athletics; however there is an independent board that recommends policy related to these grade levels.

No action was required, as this was a review item for the board. A second reading will occur at the August KBE meeting.

Committee Chair Boyd called for a motion to adjourn the committee meeting. A motion for adjournment was made by Rich Gimmel and seconded by Milton Seymore. The motion carried and the committee meeting was adjourned at 12:28 p.m. ET.

XV. Approval of Committee Action/Consent Items (Full Block)

Chair Twyman asked for a motion, second and vote to approve the action/consent items.

Grayson Boyd moved to approve the following action/consent items:

- *amendments to the KY Tech Policies and Procedures Manual;*
- *new district facility plans for Augusta Independent, Bell County, Bourbon County, Boyd County, Breathitt County, Campbell County, Christian County, Clinton County, East Bernstadt Independent, Grant County, Grayson County, Hardin County, Jackson County,*

Jefferson County, Kenton County, LaRue County, Lincoln County, Ludlow Independent, Menifee County, Montgomery County, Newport Independent, Oldham County, Pendleton County, Russell Independent, Southgate Independent, Walton-Verona Independent, Wolfe County and Woodford County School Districts;

- *district facility plan amendments for Jessamine, Marion, Mercer and Shelby County School Districts;*
- *the 2018 Minimum Specifications for School Buses; and*
- *the 2017-18 Local District Indirect Cost Rates.*

The motion was seconded by Nawanna Privett. The motion carried by unanimous voice vote.

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

Committee Chair Privett moved approval of the following:

- *preschool funding rates for the 2017-18 year;*
- *certification of the recommended non-public schools that have met accreditation requirements by the appropriate accrediting bodies; and*
- *704 KAR 7:051, repeal of 704 KAR 7:050.*

A second was not required, as this motion came from a committee. The motion carried.

XVII. Report of the Management Committee on Action/Discussion Items

On behalf of the committee, Committee Chair Boyd moved approval of the following:

- *the KDE Capital Funds Request (CFR) Guidelines for Fiscal Year 2017-18;*
- *the 2016 Report, 2016 Exceptions, and 2018 Plan as Required by 703 KAR 1:115, Annual In-Service Training of District Board Members;*
- *the KETS Fiscal Year 2018 Unmet Need for Local Education Agencies; and*
- *the KETS Trust Fund - FY 2018 Allocation.*

This motion did not require a second, as it came from a committee. The motion passed.

XVIII. LUNCH - 12:30 - 1:00 p.m. ET (Provided for KBE members, invited guests and the Commissioner's Planning Committee members only)

XIX. Public Comment Segment - 1:00 p.m. ET

Donnie Wilkerson provided public comments requesting that the board investigate deeper thinking models and the research surrounding new teaching and learning models. He expressed concern over Senate Bill 1 from the 2017 legislative session and the alignment to current initiatives across the Commonwealth, as related to the teacher's role in the classroom.

David Smith, representing the Kentucky Association of State Employees, also addressed the board with public comments regarding the proposed amendments to 780 KAR 3:072, attendance compensatory time, and leave for certified and equivalent service. This regulation was heard for a first reading at the June regular meeting.

XX. 2017 Alternative Programs of Distinction Recognition

The board was honored to recognize eleven (11) "Alternative Programs of Distinction" for the 2016-17 academic year. These awards seek to appreciate the work of educators and programs that serve at-risk students. Each of this year's winners received \$2,000 from KDE and \$1,000 from the Kentucky Center for School Safety. The 2017 winners are as follows:

- Bullitt Alternative Center, Bullitt County
- Covington Alternative Programs, Covington Independent
- Heritage Park High School, Daviess County
- The Learning Center, Fayette County
- McCracken Regional School, McCracken County
- The McDaniel Learning Center, Laurel County
- Perry County Alternative School, Perry County
- The Providence School, Jessamine County
- Ramey-Estep High School, Boyd County
- Regional School Programs, Northern Kentucky Cooperative for Educational Services / Dayton Independent
- Western Day Treatment, Jefferson County

XXI. 703 KAR 5:270, Kentucky's Accountability System - Review Item (First Reading) - Associate Commissioner Rhonda Sims and Brian Gong, Center for Assessment

Rhonda Sims, Associate Commissioner for the KDE Office of Assessment and Accountability co-presented the first reading of this new administrative regulation along with Brian Gong from the Center for Assessment. Using a PowerPoint presentation provided on the board's online materials site, Sims began by reviewing a recap of the 2017 town hall meetings and the feedback received during the tour across the Commonwealth. She noted that this feedback was consistent with the 2016 tour and it provided an opportunity for the public to see the proposed system.

Sims explained that the regulation was currently in draft form, recognizing that it is a very solid framework, but that details are still emerging. She indicated that the work is continuing to evolve, as work groups are continuing to meet and refine the proposal. Sims reminded board members of the additional documents that were also included for review, which were designed to be quick "at a glance" overview documents. She also noted that meetings the day prior had been held with the Regulatory Review Work Group and the Consequential Review Work Group. As a reminder, Commissioner Pruitt explained the purpose of these work groups and the system's committee structure that had been designed in the summer of 2016 when the work began.

Sims recommended that the afternoon's discussion be structured around the supporting overview documents, as they provided greater detail surrounding the accountability system than the draft

regulation itself. Board advisor Wayne Lewis inquired about this, expressing concern that there may only be one more review of the regulation prior to approval. KDE General Counsel Kevin Brown explained that the supporting documents included the most recent feedback received from shareholder and advisory groups, which will be reflected through changes prior to the second reading of the regulation. Board member Gary Houchens asked for clarification on the approval process. He noted the understanding that the board must approve both a first and second reading of the regulation and he inquired about the implication of changes between both readings. General Counsel Brown explained that the supporting documents are the equivalent of reviewing documents that are incorporated by reference into an administrative regulation, which carries the same weight of law. Brown noted that there were no implications for changes made between the first and second reading, as this is the purpose of having two readings prior to the board's approval. Board members expressed the need to see the details of the proposed system in adequate time to make informed decisions prior to the second reading. Commissioner Pruitt and KDE staff agreed. Sims noted that final meetings were needed with a variety of work groups and that materials would be ready no later than July 19, once finalized for the Local Superintendents Advisory Council (LSAC).

Sims began discussion on the regulation by reviewing Section One, which provides definitions for the system. Wayne Lewis suggested that the language for the definition related to "growth" include the words "proficiency and beyond". Board members agreed with this clarification. Mary Gwen Wheeler noted that a definition was not currently included for the concept of "essential skills". She expressed the need for these skills to be well-defined. Questions were also raised about the definition of chronic absenteeism. Sims noted that there were multiple definitions being utilized by the state related to this issue and that staff were working to produce a recommendation on this term. Wayne Lewis expressed concern that the definition of the term "proficiency" may need greater clarity.

Sims moved on to begin discussing Section Two of the regulation, which focus on the various indicators of the proposed system. In relation to proficiency, she explained that the measures focus on reading, mathematics, social studies, science, and writing. Sims noted that there were no changes proposed for the student performance levels of novice, apprentice, proficient and distinguished; however, the point value proposals were a new addition. Ben Cundiff inquired about the justification for the advanced point values for those students who score proficient or higher on above-grade level assessments. His concern was centered on the provision that the student must receive appropriate instruction above grade level, versus simply taking the assessment. Sims explained that this concept is a toddler step towards the state's vision for competency-based education and assessment. She noted that this provides incentives for district's to ensure that advanced learners are being instructed appropriately and not simply experimenting with the testing of students. Sims noted that the Consequential Review Work Group expressed concern about the potential manipulation of this incentive by schools and districts. Commissioner Pruitt explained that this piece of the proposal was about promoting educators to pay attention to the individual needs of students and ensuring that there was intentional instruction to prepare them for success.

Mary Gwen Wheeler inquired about how the points for the proficiency indicator actually translate into a portion of the rating. Brian Gong explained that the every student who takes the assessment will earn their associated point values, but that thresholds for the rating cuts will be set for high, medium and low performance levels. Sam Hinkle asked about the justification for rewarding the

move from proficient to distinguished with less points than a move from novice to apprentice or apprentice to proficient. Hinkle expressed concern that this may place less attention or emphasis on the state's advanced learners and their continued growth. Gong indicated that the board had the authority to set the values as they deemed appropriate and that these were simply recommendations. Gong went on to note potential concern that weighting the higher movement (from proficient to distinguished) could hide or mask those students who were not yet at proficiency.

Board advisor Kathy Gornik asked about the content for how this new proposal differed from the old system. She encouraged the board to answer the question of why this new proposal was stronger or a better option than what had been done in the past. Sims explained that some pieces of the proposal were legislatively mandated through Senate Bill 1 and the Every Student Succeeds Act (ESSA). Roger Marcum noted that the board was attempting to craft the very best plan possible, based on the legislative guardrails given.

Wayne Lewis noted the importance of ensuring that the proposed weights for proficiency were addressed in the regulatory language.

Sims then moved the discussion to the system indicator of student growth. She explained the proposed value table. Sims also explained the difference from the former system, in that growth was a normative, percentile measure and that the new system was proposing individual student trajectories towards the goal of proficiency. Sims noted that feedback from several work groups recommended the recognition of student movement within the proficient category (proficient low and proficient high). Gong noted that the proposed value table places greater emphasis on growth at the lower levels. He indicated the importance of such value in closing the achievement gaps that currently exist in the state. Board members had extensive conversation over the inclusion of low and high performance categories within each performance classification (novice, apprentice and proficient) and whether this was necessary. Many expressed the need to recognize even small steps towards the goal of proficiency, while others felt that this presented concern when trying to accelerate faster growth. Commissioner Pruitt clarified that the goal for all students would still be to perform at the proficient level within two years time. Board Chair Twyman requested that KDE staff continue refining this piece of the system and to bring back a few options for the board to react to and vote on at the August meeting.

Sims and Gong then moved the discussion to goals for the system. Long-term goals extending to the year of 2030, as well as intermediate goals, were presented for areas such as achievement gap closure, graduation rate, proficiency, and English Learner (EL) proficiency. Gong indicated that the proposed goals were simply for context and subject to change. He noted that the board would have final say and approval over the goals. Extensive discussion was had about the aggressiveness of the goals, particularly when it comes to achievement gap closure. Many, including Gong, noted the importance for them to be plausible, yet bold and visionary. Roger Marcum noted the importance of adequate funding and resources, in order for schools and districts to achieve such goals. Nawanna Privett agreed and noted the additional importance of sufficient professional learning for educators to support such long-term goals. Kathy Gornik asked the question of how much additional funding was needed. Marcum noted an adequacy study conducted by the Council for Better Education that spoke to some of this issue. He also stated that the state's financial

commitment associated with the Kentucky Education Reform Act (KERA) only lasted approximately four years and then began to decline.

Sims then began discussing the weighting of the overall system. She indicated that the board would need to provide input on how the various indicators of the system should be weighted, with actual cut scores being determined at a later date. Sims described the proposal for the overall star rating system for schools and districts, which includes a one through five star rating, in addition to a supplemental designation for gap issues or gap closure.

In relation to the opportunity and access indicator, Sims referenced a summary document that highlighted the proposals. She noted that the state's current data systems do not capture all of the information being proposed for inclusion; however, the systems can be designed to do so. She reviewed the required measures, selected measures (menu to choose from) and reported-only measures. Sims explained that all measures included would need to be able to be disaggregated. She noted that the concept of a local accountability measure, which would be approved by KDE, was proposed as a part of this indicator. Rich Gimmel asked if the local measure would be optional or required. Commissioner Pruitt stated that the measure would be a required measure for all districts and public charter schools. Gary Houchens noted the importance of these local measures being "stretch goals" that were focused on areas of needed improvement.

Sims noted that the Consequential Review Work Group has continued to note the concern over these measures and their potential for local manipulation or "gaming". She also indicated that the Regulatory Review Work Group had expressed concern over the ability to disaggregate some of the proposed measures in this indicator of the system. Rich Gimmel asked if anyone else in the nation was including this type of indicator in their accountability system. Brian Gong noted that there are very few states who are focusing on this type of indicator, with Kentucky's plan being far more comprehensive. Commissioner Pruitt stated that this piece of the system's proposal sets Kentucky apart from other states. Mary Gwen Wheeler noted concern over the measure of absenteeism, as this is something that schools can't always control. Gong noted recent data that indicated approximately 21% of Kentucky's high school students are missing at least 10% of the school year, which speaks to a significant issue for the state to consider. Milton Seymore asked to see data on chronic absenteeism at the district level.

Sims then began discussing the transition readiness indicator of the proposed system. At the high school level, Sims explained that the first requirement is to complete the minimum high school graduation requirements and to receive a high school diploma. She noted that students must then demonstrate attainment of foundational essential skills and strong attendance. Sims then explained that students may demonstrate readiness in the academic, technical and/or military categories. Sims noted that each option includes a variety of measures. She explained that the high school transition readiness indicator also includes proficiency for English Language learners.

Kathy Gornik noted the connections of this indicator to the Work Ready Skills Initiative (WRSI). She noted the importance of what a high school diploma means or indicates that a student knows. Rich Gimmel agreed. Commissioner Pruitt stated that future discussions will be forthcoming surrounding changes to the minimum high school graduation requirements.

Mary Gwen Wheeler noted her support for the inclusion of transition readiness measures at the elementary and middle school levels also. Sims noted that the idea of an academic composite score had been proposed for these levels, validating foundational academic attainment. Wheeler asked about the inclusion of the ILP at the middle school level.

As the presentation and discussion came to a close, Sims asked for comments and concerns from the board members. Chair Twyman thanked Rhonda, Brian and other KDE staff for their dedication to the work associated with the new accountability system. Commissioner Pruitt also thanked Associate Commissioner Sims and her staff for their attention to this work. Chair Twyman stated that he thought the proposal reflected a much stronger system than those of years past. He encouraged other board members and advisors to contact Associate Commissioner Sims if they had any questions or concerns prior to the second reading.

XXII. Internal Board Business

Chair Twyman called attention to reports that were posted for review by the board. He also noted that the Fall Awards Committee would be meeting prior to the regular August meeting. Chair Twyman asked that Milton Seymore chair this committee, with Gary Houchens and Grayson Boyd serving as members.

Chair Twyman also asked for Roger Marcum to chair the 2017 Nominating Committee, with Nawanna Privett, Alesa Johnson and Ben Cundiff serving as members. He noted that this committee is tasked with making recommendations for individuals to serve as the board's chair and vice-chair for the upcoming year. Twyman indicated that this committee would also meet in August, prior to the start of the regular meeting.

Chair Twyman requested approval for the payment of the National Association of State Boards of Education (NASBE) dues for the upcoming year. He noted the benefits of dues-paying members and encouraged continuation of membership. Sam Hinkle moved to approve the payment of membership dues. The motion was seconded by Milton Seymore. The motion carried by unanimous voice vote.

KBE Executive Director Leslie Slaughter explained that, pursuant to Executive Order 2017-334 issued on June 2, the board would need to consider special-called meetings during the interim, odd-numbered months in order to conduct business related to the Education Professional Standards Board (EPSB). She explained that the executive order requires the KBE to review all administrative regulations from EPSB prior to promulgation, as well as educator appeals related to teacher certification. Slaughter noted she would be sending follow-up communication regarding availability of dates. Board members expressed concern over the additional work load created by this requirement. Board advisor Wayne Lewis stated that the executive order did not explicitly require additional meetings; however, General Counsel Kevin Brown noted that, unless the KBE's regular meeting calendar is altered, the special meetings would be necessary in order to meet the 30-day timeline established in the language of the executive order.

Chair Twyman and Leslie Slaughter discussed the board's policy manual. Slaughter noted that necessary revisions were being made to the manual and that those would come before the board for review and approval at the August meeting.

Chair Twyman asked if board members had any additional topics for future discussion and consideration by the board. None were noted.

XXIII. Litigation Report

General Counsel Kevin Brown referenced the Litigation Report available for members to review. No members requested that the board enter into closed session to discuss the report.

XXIV. Adjournment

A motion to adjourn was made by Nawanna Privett and seconded by Sam Hinkle. The motion carried by voice vote and the regular meeting was adjourned at 6:31 p.m. ET.