The Kentucky Board of Education (KBE) held a special meeting on August 25, 2026. KBE members met in-person at the Kentucky Department of Education, 300 Sower Boulevard, State Board Room 514, Frankfort, KY and virtually via Microsoft Teams. Members of the public were permitted to attend the meeting in person although encouraged to view the meeting on the Kentucky Department of Education's (KDE) Media Portal. The board conducted the following business:

I. Call to Order

Chair Lu Young welcomed the board members and guests to the meeting. The meeting was called to order at 2:30 P.M. ET.

II. Roll Call

Chair Young asked for a roll call of members. The following members were present: Holly Bloodworth, Harold McKinney, Patti Minter, Felicia Nu'Man, Julie Pile, Randy Poe, Sharon Porter Robinson, Steve Trimble, Lu Young, and Trace Brooking. Juston Pate, Stephanie Phillips, Secretary Jamie Link, and President Aaron Thompson were absent. KDE Director of Education Policy GlyptusAnn Grider Jones, Ph.D., stated that a quorum was present.

III. Action/Discussion

A. Waiver Request 2026-WV-081 (Covington Independent School District)

Chair Young said that the board would consider Waiver Request 2026-WV-081. She said the board would consider action on each specific waiver request form submitted by the district, and, for any approved waivers, the board would then consider whether it will designate one or more schools or programs as a School of Innovation. Chair Young thanked Superintendent Cortnei Flucas and district representatives for being in front of the board to answer questions. Chair Young invited KDE Deputy Commissioner and General Counsel Todd Allen to discuss the waiver request. Allen said that based on KY SB 263, Kentucky's School of Innovation pilot requires Covington to identify specific waivers that are necessary to improve student outcomes. Covington Independent School Board Chair Tom Haggard explained that the compressed legislative timeline required submitting flexibility requests before completing the district's detailed implementation design. Allen reminded the board that, pursuant to KRS 156.161, the commissioner and the department are not able to provide recommendations related to waiver requests but may provide the benefits and disadvantages of approving the waiver request.

1. **Specific Waiver Request Form 1, KRS 158.070(1)(d); (2)(b), (c), and (f)**
   Todd Allen explained that Covington requested relief from portions of KRS 158.070 governing calendar committees, stakeholder feedback, board consideration, and variable instructional years. The department's review noted that the request did not address the continuing requirement for 1,062 hours of instruction over 170 student attendance days and that the proposed flexibility was not shown to be necessary or likely to improve outcomes. After discussion, Sharon Robinson made a motion to deny the request to waive KRS 158.070(1)(d); (2)(b), (c), and (f) because the board acknowledges that the district already has the authority to increase and enrich educational opportunities for Covington students and that the board pledges to support the district by remaining available to address future waivers regarding the school calendar. The motion was seconded by Randy Poe. The motion passed with a roll call vote, 9-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Nu'Man-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

2. **Specific Waiver Request Form 2, 701 KAR 5:100**
   Todd Allen explained that 701 KAR 5:100 governs school-based decision making (SBDM) councils, reporting, alternative-model applications, exemptions, and training. Covington's application did not request a waiver of KRS 160.345, so SBDM requirements and the ability to use an alternative model remain in place even if the waiver is granted, Allen said. Covington Independent Superintendent Cortnei Flucas said Covington wanted timeline flexibility while expanding SBDM participation to include additional community stakeholders and local industry representatives. She said that Covington did not intend to bypass SBDM councils and instead wanted councils to be informed partners in innovation planning. After discussion, Lu Young asked the board to consider a motion to grant the request of waiver of 701 KAR 5:100, Section 2, to allow the district flexibility regarding timelines and to deny the request to waive remaining sections of 701 KAR 5:100, noting that alternative council governance models are available to Covington Independent. The motion to approve the waiver of 701 KAR 5:100, Section 2 and to deny the request to waive remaining sections of

the regulation was made by Randy Poe and seconded by Steve Trimble. The motion passed with a roll call vote, 9-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Nu'Man-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

3. **Specific Waiver Request Form 3, 702 KAR 7:140**
   Todd Allen explained that 702 KAR 7:140 establishes the requirements school districts must follow regarding school calendars, including dates calendars must be established annually, dates calendars must be filed with KDE, requirements to make up instructional time missed due to emergency, emergency day waivers, and activities of the student attendance day. Allen said substantive review noted that the district has already adopted its calendar for the upcoming school year, 2026-2027, and it is unclear why the district would not have sufficient time to adopt a calendar within the regulatory framework for the 2027-2028 school year. The waiver request specifically notes a desire to waive 702 KAR 7:140, Section 3, as to afford the ability to shorten days without approval or declaration of emergency by the Kentucky Board of Education. After discussion, Lu Young proposed a motion to grant the request in part, to waive 702 KAR 7:140 only to the extent to allow the district to modify its calendar to add instructional time without implementing a calendar that provides less than the minimum required instructional time set forth in KRS 158.070. The motion to approve the request to waive 702 KAR 7:140 to allow the district to modify its instructional calendar to add instructional time, without implementing a calendar that provides less than the minimum required instructional time set forth in KRS 158.070 was made by Randy Poe and seconded by Harold McKinney. The motion passed with a roll call vote, 9-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Nu'Man-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

4. **Specific Waiver Request Form 4, KRS 157.320(14)**
   Todd Allen explained that Covington requested a waiver of KRS 157.320(14) but did not request a waiver of KRS 157.350(3)(a), which requires a single salary schedule for Support Education Excellence in Kentucky (SEEK) funding eligibility. Approving the requested waiver alone could therefore leave the district unable to receive SEEK funds, Allen said. Superintendent Flucas said

Covington's teacher-retention rate had been approximately twice the state average for about ten years and that competition from nearby districts and Cincinnati created substantial compensation pressure. Covington sought flexibility to develop a stronger talent-recruitment and retention strategy, including differentiated compensation tied to professional capacity and career pathways. After discussion, Lu Young asked the board to consider a motion to deny waiver request of KRS 157.320(14), because it would preclude Covington from receiving SEEK funding without a waiver of KRS 157.350(3)(a), while pledging to partner with the district in exploring a statewide effort to retain excellent teaching professionals. The motion to deny the request to waive KRS 157.320(14) was made by Holly Bloodworth and seconded by Julie Pile. The motion passed with a roll call vote, 9-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Nu'Man-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

5. **Specific Waiver Request Form 5, KRS 158.6453 (8)**
   Todd Allen stated that KRS 158.6453 (8) already permits districts to use commercial or district interim and formative assessments to measure progress toward Kentucky Academic Standards, provided instructional-time reductions are minimized. Covington's proposed social-emotional, career-readiness, and portrait-of-a-graduate measures did not require the requested waiver, Allen said. After discussion, Lu Young proposed a motion to deny the waiver request of KRS 158.6453(8) regarding formative assessments, because a waiver is not necessary to achieve stated objectives in the waiver request. The motion to deny the request to waive KRS 158.6453 (8) was made by Patti Minter and seconded by Harold McKinney. The motion passed with a roll call vote, 9-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Nu'Man-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

6. **Specific Request Form 6, KRS 159.140 (3)(a)-(b)**
   Todd Allen explained that sections (3)(a)-(b) of KRS 159.140 set forth the requirement that the director of pupil personnel refer matters to the county attorney when a student is truant or accumulates 15 or more days of unexcused absences per year. Allen said substantive review of the request noted that while a well-designed, locally determined, tiered attendance intervention

model may lead to increased student outcomes when compared to the current statutory process, the current waiver application does not sufficiently describe the intervention model that will replace the statutory process if a waiver is granted. Allen said the department is unable to say whether the waiver will conflict with the requirements of KRS 159.140, compulsory attendance, given the amount of information provided in the documents submitted by the district. The department is unable to determine whether this waiver will support or harm long-term student outcomes. The waiver could negatively affect school operations if implementation results in lower student attendance and a corresponding reduction in state funding, Allen said. Superintendent Flucas said more than 30 percent of Covington's students are from a Guatemalan Latino community and that some families fear involvement with legal systems because of immigration-related circumstances. Covington wanted flexibility to strengthen a documented, tiered attendance-intervention model before referring qualifying cases through the statutory process, while still seeking regular student attendance, said Flucas. Board members expressed concern that the request could eliminate required truancy referrals without a fully specified replacement model, create complications with county attorneys and courts, and potentially affect attendance and funding. They discussed whether existing court mechanisms, including county attorneys and court-designated workers, could support a more humane alternative process.

After discussion, Randy Poe made a motion to approve the request to waive KRS 159.140 (3)(a)-(b) but require the district to report back annually on the impact of the waiver on truancy and absenteeism. The motion was seconded by Harold McKinney. The motion failed to carry as it did not receive a majority vote of board members, 5-3 (Bloodworth-no, McKinney-yes, Minter-no, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-no).

Lu Young then proposed a motion to deny the request to waive KRS 159.140 (3)(a)-(b). The motion to deny the request to waive KRS 159.140 (3)(a)-(b) was made by Holly Bloodworth and seconded by Lu Young. The motion failed to carry as it did not receive a majority vote of board members, 5-3 (Bloodworth-yes,

McKinney-no, Minter-yes, Pile-no, Poe-no, Robinson-no, Trimble-no, Young-yes). The board took no action.

7. **Specific Waiver Request Form 7, KRS 161.020 (1)(a)**
   Todd Allen said KRS 161.020 (1)(a) provides that no person is eligible to hold the position of teacher or other public school position for which certificates are issued by the Education Professional Standards Board (EPSB) unless he or she holds a certificate for the position. Allen explained that the EPSB recommended denying Covington's request to waive KRS 161.020 (1)(a). EPSB noted that uncertified career and technical education teachers could jeopardize Carl D. Perkins funding and technical-education reporting and would not be subject to the state certification system's character-and-fitness review and professional code of ethics. After discussion, Lu Young asked the board to consider a motion to deny the waiver request. The motion to deny the district's request to waive KRS 161.020 (1)(a) was made by Julie Pile and seconded by Patti Minter. The motion passed with a roll call vote, 8-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

8. **School of Innovation Designation**
   As Covington received at least one approved waiver request, the board considered Covington's request for designation of Glenn O. Swing Elementary School, John G. Carlisle Elementary School, Latonia Elementary School, Ninth District Elementary School, Sixth District Elementary School, Holmes Middle School, Holmes High School, James E. Biggs Early Childhood Education Center, the adult high school program and any alternative school programming operated by the district to be designated schools of innovation. Superintendent Flucas said Covington intended to build a coherent K–12 innovation model over three years. The district identified middle school as a likely initial focus because of specific academic challenges while clarifying that different grade bands and schools might implement different initiatives rather than one identical program everywhere. Covington Independent Board Chair Tom Haggard explained that designation was needed to access the public investment associated with the pilot, and the KBE noted that the General Assembly had committed approximately $2.5 million. After discussion, Randy Poe made a motion to approve designation

of all Covington Independent schools and any other schools or education programs operated as Schools of Innovation, with the requirement that the district provide regular financial and operational reporting to the board. The motion was seconded by Julie Pile. The motion passed with a roll call vote, 8-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes).

IV. Adjournment

Chair Young thanked everyone for their time and asked for a motion to adjourn the meeting. The motion was made by Steve Trimble and seconded by Harold McKinney. The motion passed with a roll call vote, 8-0 (Bloodworth-yes, McKinney-yes, Minter-yes, Pile-yes, Poe-yes, Robinson-yes, Trimble-yes, Young-yes). The meeting was adjourned at 5:02 P.M. E.T.