

**Kentucky Board of Education Full Board Meeting  
February 6, 2013**

Capital Plaza Tower, 1st Floor, 500 Mero Street, Frankfort, KY

*SUMMARY MINUTES*

The Kentucky Board of Education held its regular meeting on February 6, 2013, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The board conducted the following business:

**I. Call to Order - February 6, 2013 - 9:00 a.m. (EST)**

Chair David Karem called the meeting to order and asked Mary Ann Miller to call the roll. He asked all who were present to mute or turn off their cell phones.

Mary Ann Miller indicated an addition had been made to the Management Committee's agenda titled "Site approval for the proposed Phelps High School Athletic Fields to replace the fields displaced by the construction of the new Phelps Elementary School in Pike County".

**II. Roll Call**

Attendance was taken at 9:00 a.m.

Present Board Members:

Leo Calderon  
Judy Gibbons  
David Karem  
Roger Marcum  
Jonathan Parrent  
Ms. Nawanna Privett  
Brigitte Ramsey  
William Twyman  
Mary Gwen Wheeler

Robert King was absent.

**III. Approval of Minutes from the December 5, 2012 Meeting**

Chair Karem asked if there were any changes to the minutes. Since none were suggested, he asked for a motion and second to approve the December 5, 2012 minutes.

**Motion Passed:** Approval of the December 5, 2012 meeting minutes passed with a motion by Mary Gwen Wheeler and a second by William Twyman.

Leo Calderon	Yes
Judy Gibbons	Yes

David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

#### **IV. Introduction of KDE Team Members of the Month and new KDE Employees**

Commissioner Terry Holliday introduced the following new Kentucky Department of Education employees:

- Leslie Taylor, Education Administration Program Consultant, Office of the Commissioner
- Linda Burton, Assistant Director, Office of Knowledge, Information and Data Systems
- Paula Goss, Education Academic Program Manager, Office of Next-Generation Learners
- Tonia Hickman, Administrative Specialist III, Office of Next-Generation Schools and Districts
- Bridget Stanfield, Education Administration Branch Manager, Office of Assessment and Accountability

Next, Commissioner Holliday noted that Pamela Moore, Systems Analyst IT, Office of Career and Technical Education, was the January Team Member of the Month but said she could not be present at the meeting; however, he indicated Pamela would be joining the board for lunch.

#### **V. Report of the Secretary of the Education Cabinet**

Secretary Joe Meyer indicated he had no updates for the board this month.

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

Dr. Robert King was not present but submitted a written report.

Chair Karem asked if there were any questions about the report and recognized Mary Gwen Wheeler.

Ms. Wheeler noted that Dr. King's report included an item on the transition courses that colleges are doing with high schools. She asked Commissioner Holliday if this data is being tracked for monitoring purposes.

Commissioner Holliday responded that the data is being tracked but said there is some difficulty with course codes affecting the accuracy of the data. He noted this is one of the department's strategies within a delivery plan.

Leo Calderon then asked how many adults would benefit from the Commonwealth College.

Commissioner Holliday replied that this would apply to adults already having credit hours and he thought it affected about 30,000 adults.

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

Chair Karem welcomed Robert Brown, new Executive Director of the Education Standards Board, to his first Kentucky Board of Education meeting and invited him to make comments that were in addition to his written report.

Mr. Brown shared the following:

- Kentucky's new National Board Teachers will be recognized by the House and Senate on March 7.
- Kentucky ranks seventh in the nation on the number of new National Board Teachers and tenth overall. Additionally, the pass rate is 53-54%.

Nawanna Privett was recognized by Chair Karem and commented that she had worked with Robert many different times and looked forward to working with him as part of the board.

## **VIII. Report of the Commissioner of Education**

Commissioner Holliday said he had no new information to add to his written report but would take questions.

Brigitte Ramsey was recognized by the Chair and asked for what the goal is for e-transcripts.

Commissioner Holliday replied that for guidance counselors it would be the ability to push a button to produce a transcript and for parents and students, it would be the time it takes to get a transcript being almost instantaneous. He went on to say that for higher education, this would produce a common format and common data elements coming into colleges from high schools and make the admissions process smoother. Holliday noted that the e-transcript is being piloted to make sure the essential elements are contained in it.

Mary Gwen Wheeler then asked if the department is planning to use Facebook and Twitter as avenues to try and get higher usage of the TELL Survey.

Commissioner Holliday replied affirmatively.

## **IX. Good News Items**

The following board members reported items of good news on the topics noted below:

- Nawanna Privett - International Space Station live downlink through the efforts of Eastern Kentucky University, Kentucky Educational Television and GEAR-UP
- Judy Gibbons - Recognition of the Kentucky Department of Education's Division of School and Community Nutrition by the U.S. Department of Agriculture with a Direct Certification Performance Award

- Bill Twyman - Kentucky's ranking of 10th in the nation on Quality Counts
- Roger Marcum - Kentucky's students scoring higher on EXPLORE and PLAN in 2012 and registering gains in every subject tested

## **X. Public Comment Segment**

No individuals came forward for the public comment segment of the meeting.

## **XI. Update on the Professional Growth and Effectiveness System (Review Item)**

Associate Commissioner Felicia Smith came forward for this review item. She said this topic continues to come before the board because it is one of the most critical pieces of the board's strategic plan to ensure that every student has an effective teacher and every school has an effective leader.

Smith then pointed out that on the first week in January, the Measuring Effective Teaching Project released its findings from the research study that examined whether it is possible to measure effective teaching. She stated that a copy of this most recent report is being provided to the board as a handout. Smith pointed out that the findings from this report indicate it is possible to measure effective teaching. She emphasized that as Kentucky has developed its new professional growth and effectiveness system, staff has been keeping their eyes on this research study to inform the conversations of the commissioner's Teacher Effectiveness Steering Committee as well as to inform the design and implementation of the new system.

In a related topic, Associate Commissioner Smith said that a new teacher evaluation bill has been introduced for consideration by the General Assembly as it is one of the board's legislative priorities. She emphasized that the department has worked hand in hand with many of the key education partners on the bill's elements and that Commissioner Holliday has gotten feedback on the bill's language from the Guiding Coalition. At this point, a copy of the draft bill was handed out to the board.

Next, Smith updated the board on the work of the Teacher Effectiveness Steering Committee from the January meeting. She shared that the committee reviewed the Measuring Effective Teacher (MET) Project findings and had a two-hour work session where recommendations were produced to pass on to the Kentucky Board of Education on finalizing elements of the new system. Smith pointed out the attachment on the board's online materials system labeled "Supporting Documentation" as the content of the commissioner's comments to the group outlining the implications on how all of the work is coming together including the fact that final approval of Principle 3 of the ESEA waiver depends on the implementation of the new system. She also noted that the commissioner's comments included the impact if no new system is put into place. Smith stated the commissioner reminded the committee that student growth must be one of the multiple measures within the system and he talked about the definition of student growth.

Associate Commissioner Smith summed up that the department and its partners have been working on the new system for over two years and the system has been piloted in 54 districts to gain feedback and ways to improve the system. She said that the system will undergo a statewide pilot during the 2013-14 school year and full implementation in 2014-15.

Smith continued that through the Continuous Instructional Improvement Technology System (CIITS), an educator development suite is available that will capture the data for the teacher effectiveness system. She shared that it will be able to track and monitor the performance ratings from the system and is a key support piece to the system.

As a handout, Associate Commissioner Smith gave the board members the preliminary recommendations from the Teacher Effectiveness Steering Committee that came out of the January meeting that will be considered as the work on the system goes forward.

Chair Karem then asked if there were questions on this agenda item and recognized Brigitte Ramsey.

Ramsey asked if Felicia Smith could share the connection between the new legislation and the MET findings and also what would be included in regulations.

Smith replied that the piece of legislation was filed last year and staff has made changes to it as needed per the MET study findings. However, she said it does not change the course of action that we have pursued in developing the system through use of the committee. Smith stated that the legislation mirrors the findings of the MET study, calls for a support system for teachers and leaders, and maintains the course we have been pursuing over the last few years. As to regulatory language related to the legislation, she reminded the members that one year ago, the board approved an existing regulation that contained the required elements of the ESEA waiver to submit as part of the waiver application. Smith characterized that regulation as the first step in regulatory language needed for the system with additions to come to the board in the future. She explained that the preliminary recommendations from the Teacher Effectiveness Steering Committee will make up a key part of the additional regulatory language that will be needed as well as some additional committee recommendations that will hopefully come out of the committee's February meeting.

Then, Ms. Ramsey had a follow-up question about how all of the pieces fit together since the department has the work from Prichard Committee, the MET study, and the ESEA waiver to consider.

Commissioner Holliday responded that the waiver provides the federal requirements. He then pointed out that the department is focused on replicating the MET study as scientific research. Holliday went on to say the legislation is guided by the waiver and the work of the Teacher Effectiveness Steering Committee that has been going on for two years. As far as the Prichard Committee's work, he said this is a holistic approach to look at recruitment, teacher preparation, retention, etc. Holliday indicated that the department is dealing with two pieces, the evaluation system and the support system. Down the road, he felt that the Prichard Committee would propose legislation affecting the whole system in 2014.

The commissioner then reminded the board that if we do not implement the new system, districts will lose federal funding and flexibility and we will go back to having two accountability systems, one state and one federal.

Mary Gwen Wheeler then asked what the board's role is in this process.

Holliday said the board already made the teacher evaluation bill one of its priorities and now it should be looking at the recommendations from the Teacher Effectiveness Committee to impact the content of the board's regulations.

Roger Marcum was recognized and asked if board members should schedule meetings with legislators to express support for the work on the teacher evaluation bill.

Commissioner Holliday replied affirmatively and asked Kevin Brown and his staff to coordinate this.

Associate Commissioner Felicia Smith then continued by calling the board members' attention to the specific draft recommendations from the Teacher Effectiveness Steering Committee. She commented that these are only for review and indicated some additional recommendations will be coming forward to the board from the committee after its February meeting. Smith noted that all of the recommendations would be used to inform the regulatory work at a future KBE meeting.

A final item from Felicia Smith was the fact that the department is conducting a series of winter summits across the state in February to share the latest information on the Professional Growth and Effectiveness System with schools and districts in preparation for the statewide pilot in 2013-14.

Chair Karem then recognized Jonathan Parrent who asked Felicia Smith to describe the current evaluation process.

Smith replied that the law requires a summative evaluation for teachers every three years, which is primarily based on observations. She went on to say that with 174 districts, there are 174 protocols in place for evaluations. Smith noted that the current evaluation does not include student voice, student growth or a common framework, which is the direction of the new system. In essence, she stated that it is not a system that measures teacher effectiveness.

Next, Bill Twyman was recognized and asked what kind of feedback is being received from the pilot districts.

Felicia Smith responded that the feedback overall is positive with such comments as the system is causing new and different conversations on what effective teaching looks like and teachers appreciate that principals are being trained as observers. She said that leaders feel it is a better system than we presently have but indicate it takes more time. Smith then pointed out that the department is going to have to provide more assistance around time management and more intensive training on the system.

Nawanna Privett then asked about principal evaluation.

Smith replied that the department is running a dual pilot, one on teacher effectiveness and one on principal effectiveness even though today's conversation has focused just on the teacher piece.

## **XII. Strategic Plan Update (Review Item)**

Coming forward for this discussion were Delivery Unit staff Karen Dodd, Dr. Kate Akers and Dr. Bart Liguori. Dodd indicated that Akers and Liguori would be presenting some graphics related to the strategic plan to the board. First, however, Dodd noted that at the last board meeting, a request was made to provide trajectories for local districts as were provided for the state. To show that this has been completed, she demonstrated via the Internet where this now appears in the school report card. Mary Ann Miller added that is information was sent out to both local school board chairs and local chambers of commerce.

On another topic, Dodd reminded the board that the stocktakes with the commissioner occur twice a year on a staggered basis for each of the four delivery plans. She also shared that in between stocktakes, the commissioner receives a bi-monthly report from the Delivery Unit giving the status of each of the strategies within the plans. Dodd commented that the most recent stocktake took place for the Gap Delivery Plan and she then proceeded to go over what was presented to the commissioner at that stocktake.

Next, Dr. Kate Akers went through some maps depicting the gap data as related to the Gap Delivery Plan. All of these were contained in the PowerPoint available on the board's online meeting system.

Following the presentation of the gap data, Karen Dodd moved on to discuss the stocktake that took place on the Next Generation Professionals Delivery Plan and again went over the information that was presented to the commissioner.

Roger Marcum asked when it is expected that the department will address professional growth and effectiveness for central office administrators and superintendents.

Commissioner Holliday indicated that it would be soon. Associate Commissioner Felicia Smith added that it would be a part of the Next Generation Professionals Delivery Plan. Commissioner Holliday continued that a Kentucky Association of School Administrators' committee, with which the department has been collaborating, is developing superintendent and central office administrator standards that will be the foundation for a superintendent evaluation system and could also be used for central office staff. He went on to say that the Kentucky Board of Education through the department must approve all local board evaluations of superintendents and explained that this part of the law would be exercised very soon with a policy statement made by him during February. Holliday stated that superintendent evaluations would closely mirror his evaluation and include delivery targets.

At this point, Dr. Bart Liguori discussed some graphic depictions of data related to the Professional Growth and Effectiveness System as found in the PowerPoint available on the board's online meeting system.

## **XIII. Status Update on the Breathitt County School District (Review Item)**

Associate Commissioners Hiren Desai and Susan Allred were the presenters for this agenda item. Desai reminded the board that the department began state management in December and has taken

several actions to bring stability to the district. He said among these actions was appointment of Larry Hammond, former superintendent in Rockcastle, as the state manager, who has been reaching out to the various constituencies to assure them that the goal is to put the district on a sound footing financially, instructionally and operationally. Additionally, Desai reported that the department has assisted with the hiring of a new board counsel to address pending litigation and has frozen all expenditures with their review being required by department staff. He noted that the department is also involved in the process of producing a new facility plan.

Next, Susan Allred spoke about the programmatic perspective where she said the report that was provided to the board about the deficiencies in Breathitt County is the basis for developing action plans to address the deficiencies. With regard to the actions plans, Allred noted that terms the board will hear frequently are “Plan, Do, Study and Act (PDSA)” and explained this refers to a template that is used to follow through on each of the deficiencies. She commented department staff are involving district staff in the drafting of the plans which they will implement with assistance from the department via monitoring. Allred noted that an education recovery leader has been moved from Lee County to Breathitt to help with the coaching on the PDSAs. She said that at the end of February, she would be at the local board meeting to help the members understand the concept of PDSAs and how the local board can participate in the monitoring of the improvement cycle process.

#### **XIV. Status Update on the Monticello Independent School District (Review Item)**

Chair Karem noted that the next agenda item is a review on the status of the Monticello Independent School District and asked Associate Commissioners Hiren Desai and Susan Allred to share what has transpired since the last update.

Desai pointed out that since Monticello Independent was placed under state assistance in December, department staff has been on the ground there reviewing instructional, financial and operational issues. He noted that the department has worked with the district to hire an interim superintendent with experience, John Hurt; hire an experienced finance officer, Bill Boyd; and hire an experienced board attorney, Winter Huff. Desai went on to say that originally, department staff thought the financial deficit was about \$250,000 but emphasized it has grown significantly, which is the reason that the commissioner has recommended placing Monticello Independent under state management; however, he explained that the local board has asked for a hearing, which will occur February 20 before that decision is made by the state board.

Susan Allred continued by indicating that Monticello Independent High School is one of the 41 Priority Schools. She said that a team of three education recovery specialists were already working at the high school but noted their role has now changed to focus on K-12 instruction. Allred emphasized that the department is working to ensure that under the stress of state assistance the students of Monticello get the best approach to curriculum and instruction that is possible with emphasis on college and career readiness. She commented that Jim Hamm has been the point person on the PDSA process, which is the same process being used in Breathitt County except that the process is tailored to meeting the specific needs in each district. She added that another education recovery leader from Lawrence County goes to Monticello twice a month to monitor the implementation of the goals that have been set. Thus, Allred summarized, the department has staff who are both providing assistance and monitoring progress in Monticello.



## **XV. Board Member Sharing**

No items were brought forward for this agenda item.

## **XVI. Update from the Office of Next Generation Schools and Districts (ONGSD) on performance of the forty-one (41) Priority Schools on turnaround indicators (Review Item)**

Due to the board meeting being ahead of schedule, this item was brought forward to occur prior to the lunch break. Associate Commissioner Susan Allred was the presenter for this report.

Allred focused most of her time on the document titled "Kentucky's 41 Priority Schools: What the Data Tells Us" that summarized the data on the performance of the 41 Priority School on turnaround indicators. She began on page 14 talking about the findings of the 2012 Annual Evaluation Report for the School Improvement Grant from the University of Kentucky Human Development Institute and then moved to the findings of the TELL KY survey.

Allred then used a scatter plot slide to illustrate the progress of the 41 Priority Schools and noted that more progress can be seen in those schools in Cohorts 2 and 3 because these have been more welcoming to assistance as well as the fact that some of these schools were not as low in performance as the Cohort 1 schools.

Commissioner Holliday pointed out that Western, Shawnee, Valley and Caverna are all below 20% college and career readiness graduation rate with Valley being the lowest. He emphasized these schools have been in turnaround for three years. He then asked Allred to jump to pages 33 and 34 of the document before he had to depart for a meeting at the Capitol.

Associate Commissioner Allred then noted that the report is a series of charts illustrating specific data per school on things like the overall score, whether they are proficient or needs improvement, if the school has pulled itself out of the bottom 5%, graduation gains, college and career readiness, ACT/EXPLORE, status on gap group, and growth above 50%. She indicated that the charts on pages 33 and 34 summarize all of these factors. She explained that a point system was created from these factors on how the schools were doing in turnaround. Relative to the charts on pages 33 and 34, Allred stated that the first ten schools are Cohort 1 and have been in working on turnaround for three years, the second group of 12 have been working for two years and the remaining 19 have been in the process for one year. She reported that a school in the process for three years should have scored at least 6 points against the total of 13 for high schools or 11 for middle schools. Allred said the point system is based on the data and is designed to communicate if the school is moving in the right direction for turnaround.

At this point, Commissioner Holliday asked how many of the 41 schools have made acceptable progress and Allred responded 17. He then asked how many had not made acceptable progress and she replied about 22. Holliday continued by asking if there is one district or region that sticks out as not making sufficient progress and Allred responded that it is Jefferson County with 18 schools out of the 41 Priority Schools and with six schools out of the original ten in turnaround. She noted there to be several reasons for this including leadership change at the top as well as the following three factors cited at the bottom of page 18: a) the willingness to accept assistance, b) how quickly

the education recovery team becomes effective and c) how long it takes for adults to get over themselves and realize it is all about the students. She went on to say that currently department staff is working with Dr. Hargens to see what sustainability means for those schools not making adequate progress.

Judy Gibbons asked if teachers are being prepared to analyze and understand data and if we need to work with the Council on Postsecondary Education and Education Professional Standards Board to improve skills in this area.

Associate Commissioner Allred replied that there seems to be a disconnect on how to drill down on data and then translate it into instructional improvement. She indicated that is what the educational recovery teams are focusing on and pointed out that CIITS and PD 360 are key tools for doing this.

Brigitte Ramsey then asked what plans are in place for applying what we are learning in the 41 schools in other sites.

Allred responded that the plan for next year, due to the fact that the significant dollars will go away, is to identify hub schools as locations where most of the systems work has taken effect more quickly and keep an educational recovery team at these schools to be a lab for each region (east and west) with some form of the model applied in Jefferson County.

Ramsey went on to ask what work is going on in these schools with respect to career readiness.

Allred replied that the career and technical education staff is involved in working in these schools with some schools approaching this work better than others.

Leo Calderon then asked about community involvement within the schools.

Allred agreed with the importance of this factor and said the department has moved the community engagement branch to her office due to its critical nature in these schools.

Nawanna Privett then emphasized the importance of staying with this work even though it is very hard and asked for the next steps in the work.

Allred replied that the next steps are summarized on page 14 of the document titled "What the Data Tells Us".

Next, Mary Gwen Wheeler stated that she was not sure the current turnaround models are that helpful.

Allred responded that the transformation model seems to be getting better results and said the restaffing model was not applied correctly. She then noted that the verdict on the effectiveness of the four models is still out.

**XVII. Lunch - 12:00 noon - 1:00 p.m. (EST); First Floor Conference Room (Lunch provided for KBE members, invited guests and Commissioner's Planning Committee only)**

The meeting recessed for lunch.

**XVIII. Recognition of Districts of Distinction - 1:00 p.m. (EST)**

Commissioner Holliday and Chair David Karem recognized representatives from the following “Districts of Distinction” by awarding them a banner and recognition letter:

- Anchorage Independent
- Beechwood Independent
- Boyle County
- Corbin Independent
- Ft. Thomas Independent
- Murray Independent
- Pikeville Independent
- Walton-Verona Independent

**XIX. 2013 Elementary and Secondary Legislation Update (Review Item)**

Associate Commissioner Kevin Brown and Legislative Liaison Tracy Herman came forward for this agenda item. Brown indicated the legislative session has started and the board's priorities have been filed as bills and now have bill numbers. He asked Tracy Herman to update the board on the status of the items.

Herman share the following:

- Professional Growth and Effectiveness - Representative Carl Rollins is the sponsor of the bill with the bill number being HB 180. Department staff and the commissioner have talked to the Senate as well and are hopeful they will be supportive of the legislation.
- Preschool Funding Formula - This bill will be on the agenda of the Senate Education Committee tomorrow (SB 18) and is sponsored by Senator Higdon. Hiren Desai will testify on the bill.
- Career and Technical Education - This bill has been filed in the House as HB 207 and it puts all of the language from the executive order in place.
- Compulsory School Age Attendance - Three bills have been filed on this topic. HB 224 and SB 99 are identical and provide for a staggered implementation with 2017 being the date for 17 year-olds and 2018 for 18 year-olds. These also have language to allow districts to have the option to implement before the required dates if the local board so desires. SB 97 does something similar where it allows a local board to begin implementation in 2014-15 voluntarily with no required trigger. It looks hopeful that some form of this legislation will pass this session.

At this point, Associate Commissioner Felicia Smith came forward to talk about legislation on professional learning. She said that as a part of the teacher and leader effectiveness work, it is critical to have a support system in place and noted that this bill comes from the Learning Forward recommendations and the Professional Learning Task Force work. Smith indicated it gives a new definition for professional learning and says that the department will come forward with regulations to define a more comprehensive professional learning system.

**XX. Hearing Officer's Report - Includes action on Statements of Consideration for 701 KAR 5:140, 702 KAR 3:130 and for 704 KAR 3:095**

General Counsel Kevin Brown came forward and noted that three Statements of Consideration would now be considered under this agenda item. He also called attention to the written Hearing Officer's Report that included the fact that the regulation on alternative high school diplomas became effective on Jan. 13 and the restraint and seclusion regulation became law on Feb. 1 with guidance being ready to send out since districts have about 90 days to get policies in place.

Brown then moved on to the Statement of Consideration for 701 KAR 5:140, Districts of Innovation, and David Cook went over the content of the document.

Chair Karem then asked for a motion and second to approve the Statement of Consideration for 701 KAR 5:140 and the amended regulation.

**Motion Passed:** Approval of the Statement of Consideration and amended regulation for 701 KAR 5:140, Districts of Innovation passed with a motion by Jonathan Parrent and a second by Roger Marcum.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

Next, Susan Barkley went over the Statement of Consideration for 702 KAR 3:130, Internal Accounting.

Chair Karem asked for a motion and second to approve the Statement of Consideration for 702 KAR 3:130 and the amended regulation.

**Motion Passed:** Approval of the Statement of Consideration and amended regulation for 702 KAR 3:130, Internal Accounting passed with a motion by Brigitte Ramsey and a second by Leo Calderon.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

Robin Chandler then went over the Statement of Consideration for 704 KAR 3:095, Response to Intervention.

Chair Karem asked for a motion and second to approve the Statement of Consideration for 704 KAR 3:095 and the amended regulation.

**Motion Passed:** Approval of the Statement of Consideration and amended regulation for 704 KAR 3:095, Response to Intervention passed with a motion by Mary Gwen Wheeler and a second by Judy Gibbons.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

**XXI. Curriculum, Instruction and Assessment Committee Meeting, State Board Room, 2:30 p.m. (EST) (Tentative Start Time)**

**XXI.A. Action/Discussion Items**

**XXI.A.1. 703 KAR 5:250, Intervention options in Priority Schools/Districts; 703 KAR 5:121, Repeal of 703 KAR 5:120, Assistance to schools, guidelines for scholastic audit; & 703 KAR 5:181, Repeal of 703 KAR 5:180, Intervention system for persistently low-achieving schools (2nd Reading; Next Gen. Sch./Dist.)**

Associate Commissioner Susan Allred and Policy Advisor Debbie Hendricks came forward for this item. Allred indicated this is the second reading of the regulation and reminded the committee that it only applies to Priority Schools.

Committee Chair Mary Gwen Wheeler then asked for a motion, second and vote on the regulation.

**Committee Motion Passed:** Approval of 703 KAR 5:250, Intervention options in Priority Schools and Districts; 703 KAR 5:121, Repeal of 703 KAR 5:120, Assistance to schools, guidelines for scholastic audit; and 703 KAR 5:181, Repeal of 703 KAR 5:180, Intervention system for persistently low-achieving schools passed with a motion by Brigitte Ramsey and a second by Jonathan Parrent.

Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
Mary Gwen Wheeler	Yes

**XXII. Management Committee Meeting, State Board Room, 2:45 p.m. (EST) (Tentative Start Time)**

**XXII.A. Action/Consent Items**

**XXII.A.1. New District Facility Plans: Carlisle, Daviess and Fayette County School Districts (KDE Support and Guiding Processes)**

Hiren Desai, Kay Kennedy and Tim Lucas came forward for this item and Mr. Lucas talked about each of the proposed plans.

Committee Chair Roger Marcum then asked for a motion, second and vote on the plans.

**Committee Motion Passed:** Approval of all submitted district facility plans passed with a motion by William Twyman and a second by Leo Calderon.

Leo Calderon	Yes
Judy Gibbons	Yes
Roger Marcum	Yes
William Twyman	Yes

**XXII.A.2. 2012-2013 Local District Working Budgets (KDE Support and Guiding Processes)**

Division Director Kay Kennedy noted that the only working budget not approved is Monticello Independent. She said that staff worked with them to compile the working budget but indicated it could not be reconciled. Kennedy recommended that the board not approve the working budget.

Associate Commissioner Hiren Desai said that more details on this matter would be covered at the Feb. 20 special hearing.

Committee Chair Marcum then asked for a motion, second and vote not to approve this working budget.

**Committee Motion Passed:** Not approving the 2012-13 local district working budget for Monticello Independent as it does not meet the requirements of the Kentucky Revised Statutes and

the Kentucky Board of Education passed with a motion by Judy Gibbons and a second by Leo Calderon.

Leo Calderon	Yes
Judy Gibbons	Yes
Roger Marcum	Yes
William Twyman	Yes

**XXII.A.3. 2012-2013 Local District Tax Rates Levied (KDE Support and Guiding Processes)**

Kay Kennedy continued saying that this item also deals with Monticello Independent. She did recommend approval of the district's tax rate.

Committee Chair Roger Marcum pointed out that Monticello chose to take the compensating rate in four of the last six years, which has impacted their financial situation. He then asked for a motion, second and vote to approve this tax rate.

**Committee Motion Passed:** Approval of the 2012-13 local district tax rate for Monticello Independent passed with a motion by William Twyman and a second by Judy Gibbons.

Leo Calderon	Yes
Judy Gibbons	Yes
Roger Marcum	Yes
William Twyman	Yes

**XXII.B. Action/Discussion Items**

**XXII.B.1. Site approval for the proposed Phelps High School Athletic Fields to replace the fields displaced by the construction of the new Phelps Elementary School in Pike County**

Hiren Desai, Kay Kennedy and Greg Dunbar came forward for this agenda item. Mr. Dunbar gave a brief history of the reason that the site approval was being brought before the board. Following the background information, Hiren Desai stated that staff is recommending conditional approval of the site subject to the other requirements designated in the staff note being met.

Judy Gibbons said she had safety concerns when talking about a 180 foot retaining wall.

Several officials from the school district came forward to respond to the safety concerns. It was conveyed to the committee that a geo technical engineer has visited the site to look at the high wall design and ensure safety. They also shared that high walls also exist at Pike Central and East Ridge High Schools. It was explained that this is not a sheer wall but instead is a tiered structure.

Gibbons then asked who will determine the final design of the wall.

The district officials replied that they would work with Greg Dunbar and the geo technical engineer as the design moves forward and adjust if necessary.

Bill Twyman then asked about the timeline for the project.

The district officials stated it would depend on the Corp of Engineers and the other agencies that hold approval authority on various factors.

Committee Chair Marcum then asked for a motion, second and vote on conditional approval of the site.

**Committee Motion Passed:** Conditional approval for the proposed site of the Phelps High School Athletic Fields passed with a motion by Leo Calderon and a second by William Twyman.

Leo Calderon	Yes
Judy Gibbons	Yes
Roger Marcum	Yes
William Twyman	Yes

**XXII.B.2. Recommendations resulting from the Middle School Interscholastic Athletics Report (KDE Support and Guiding Processes)**

Associate Commissioner Kevin Brown and KHSAA Commissioner Julian Tackett came forward for this item. Brown noted that the policy considerations referenced in the staff note are exact wording from the Middle School Interscholastic Athletics Task Force's report with the recommendations in response to the policy considerations being from the Kentucky High School Athletics Association (KHSAA).

Julian Tackett then went through each policy consideration and KHSAA recommendation and characterized this work as a phase-in approach with an advisory committee shaping that approach. Roger Marcum asked about the Local Superintendents Advisory Council's reaction to the recommendations and Tackett replied that it was positive and supportive. Marcum felt this was a good start to address the priorities of health and safety first followed by working through the advisory committee to deal with the other areas. He then asked for a motion, second and vote on the recommendations.

**Committee Motion Passed:** Approval of the recommendations from KHSAA in response to the policy considerations from the Middle School Interscholastic Athletics Report passed with a motion by Judy Gibbons and a second by Leo Calderon.

Leo Calderon	Yes
Judy Gibbons	Yes
Roger Marcum	Yes
William Twyman	Yes



**XXII.C. Review items**

**XXII.C.1. 702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics and Revisions to the KHSAA Bylaws (First Reading; KDE Support and Guiding Processes)**

Associate Commissioner Kevin Brown reminded the committee that this is the first reading for the regulation. He said that normally this only consists of any bylaws and constitution changes but noted this time it also contains the regulation changes related to the middle school issues discussed in the previous agenda item.

KHSAA Commissioner Tackett reported that there are no controversial bylaw changes this year with most of them being clean-up items. He commented that the association is still looking at potential changes related to foreign students.

Committee Chair Marcum said that the regulation will come back for action in April.

**XXIII. Approval of Action/Consent Agenda Items (Full Board Meeting Resumes)**

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

**Motion Passed:** Approval of all submitted action/consent items (district facility plans, not approving the Monticello Independent working budget and local district tax rates levied) passed with a motion by Roger Marcum and a second by William Twyman.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

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

Chair Karem asked for a motion to approve 703 KAR 5:250, Repeal of 703 KAR 5:120, and Repeal of 703 KAR 5:180.

**Motion Passed:** Approval of 703 KAR 5:250, Intervention options in Priority Schools & Districts; 703 KAR 5:121, Repeal of 703 KAR 5:120, Assistance to schools, guidelines for scholastic audit; and 703 KAR 5:181, Repeal of 703 KAR 5:180, Intervention system for persistently low-achieving schools passed with a motion by Mary Gwen Wheeler.

Leo Calderon	Yes
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Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

**XXV. Report of the Management Committee on Action/Discussion Items**

Chair Karem asked for a motion to approve the KHSAA recommendations in response to the Middle School Interscholastic Athletic Report's policy considerations and conditional approval for the site for the Phelps High School Athletic Fields.

**Motion Passed:** Approval of the recommendations from KHSAA in response to the policy considerations in the Middle School Interscholastic Athletics Report and conditional site approval for the Phelps High School Athletic Fields passed with a motion by Roger Marcum.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

**XXVI. KDE Employment Report (All offices except the Office of Career and Technical Education)**

Associate Commissioner Hiren Desai first went over the KDE Employment Report on all offices except the Office of Career and Technical Education.

**XXVII. KDE Employment Report (Office of Career and Technical Education)**

Associate Commissioner Desai then moved to the KDE Employment Report that focused on the Office of Career and Technical Education. He said the addition of the 54 Area Technical Centers has required working through some personnel issues including the percentage of minority employees employed by the centers and the need to update procedures.

Bill Twyman asked if the minority criteria will be the same as for KDE and Desai responded affirmatively.

**XXVIII. Internal Board Business**

Chair Karem indicated that the board needed to approve Brigitte Ramsey's travel to the NASBE study group and to the NASBE legislative conference. He asked for a motion, second and vote on this matter.

**Motion Passed:** Approval of Brigitte Ramsey's travel to the NASBE study group and to the NASBE legislative conference passed with a motion by Leo Calderon and a second by Judy Gibbons.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes

**XXIX. Litigation Report**

No member asked to discuss the Litigation Report.

**XXX. Adjournment**

Chair Karem asked for a motion, second and vote to adjourn.

**Motion Passed:** Approval to adjourn the meeting passed with a motion by William Twyman and a second by Mary Gwen Wheeler.

Leo Calderon	Yes
Judy Gibbons	Yes
David Karem	Yes
Roger Marcum	Yes
Jonathan Parrent	Yes
Ms. Nawanna Privett	Yes
Brigitte Ramsey	Yes
William Twyman	Yes
Mary Gwen Wheeler	Yes