

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Declaring the Fleming County School District as State-Assisted

Applicable Statute or Regulation:

KRS 158.780, KRS 158.785 and 703 KAR 3:205

Action Question:

Should the Kentucky Board of Education (KBE) approve the recommendation by the Commissioner of Education to declare Fleming County School District (Fleming) a “state assisted” district, based upon the results of a management audit conducted in accordance with applicable state statutes and regulation?

History/Background:

Existing Policy. In accordance with KRS 158.780, KRS 158.785 and 703 KAR 3:205, if the commissioner determines that a management audit establishes an existing pattern of a significant lack of effectiveness and efficiency and state assistance or state management is necessary to correct the inefficiencies and ineffectiveness, the commissioner shall place a recommendation to declare the district "state assisted" or "state managed" before the state board for a hearing on the matter. If the local district agrees with the commissioner's recommendation to declare the district "state assisted" or "state managed" and the district waives the right to participate in the hearing before the state board, the commissioner shall place this recommendation before the board for its approval without a hearing.

The department completed an onsite management audit of Fleming County on September 11 and 12, 2013. The management audit team prepared a draft management audit report for the Commissioner based upon this work. On October 16, 2013, the commissioner notified the Fleming County Board of Education in writing that, based upon a review of the findings outlined in the report, he was going to recommend to the state board that Fleming County be declared a “state-assisted” school district. A copy of the letter, the executive summary, and the final management audit report are attached to this staff note.

On October 23, 2013, the Fleming County Board of Education voted unanimously to waive the right to a hearing before the state board and accept the Commissioner’s recommendation to declare the district “state assisted”. A copy of the response from the local board of education, along with the signed waiver of the right to a hearing, is also attached.

Staff Recommendation(s) and Rationale:

Pursuant to KRS 158.780, KRS 158.785 and 703 KAR 3:205, the commissioner recommends that Fleming County become a “state assisted” district as a result of the existence of a pattern of inefficiency and ineffectiveness in multiple areas. As noted in the executive summary of the management audit report, the superintendent and the local board have made some progress in addressing financial concerns in recent months, but a lot of work is still needed. The local board appears supportive of the superintendent. Both want to adequately address the financial concerns, but may need additional guidance to do so effectively. State management should still be considered in the future if the local board fails to act promptly to address the concerns outlined in the report.

If the state board approves the commissioner’s recommendation and declares Fleming County a “state assisted district”, then pursuant to KRS 158.785(6), the commissioner, by and through the Kentucky Department of Education, shall help the local district develop and implement a plan to correct the deficiencies identified in the management audit report.

KDE staff shall actively monitor compliance with this plan and provide regular status updates to the state board. If the plan is not being adequately developed or implemented, the commissioner may bring a recommendation back to the state board, in accordance with the appropriate process, to move forward with state management.

Impact on Getting to Proficiency

Pursuant to state law, the KDE shall establish a program for voluntary management improvement, for involuntary supervision, and for assuming full control of a local school district, in order to ensure that all school districts have the opportunity and capacity to reach proficiency.

Contact Person:

Hiren Desai, Associate Commissioner
Office of Administration and Support
(502) 564-1976
hiren.desai@education.ky.gov

Kelly Foster, Associate Commissioner
Office of Next Generation Schools and Districts
(502) 564-5130
kelly.foster@education.ky.gov



Commissioner of Education

Date:

December 2013