

**MEMORANDUM OF UNDERSTANDING (MOU)
DISTRICTS OF INNOVATION
(KRS 156.108 and 160.107)**

This Memorandum of Understanding ("MOU") is entered into by and between the Kentucky Department of Education (KDE) and the Jefferson County Board of Education, d/b/a Jefferson County Public Schools (the "district"). The purpose of this agreement is to establish a framework of collaboration, as well as articulate specific roles and responsibilities in support of the district being designated as a "District of Innovation" per KRS 156.108. This MOU was approved at a meeting of the Jefferson County Board of Education on March 10, 2014. The approval is contained in the board minutes that are available for review at the district's central office. All pertinent information related to this MOU is available for review at the district's central office.

This MOU details the expectations for the district and KDE regarding the implementation of the district's approved "District of Innovation" application (the "plan").

District Responsibilities

In implementing the activities and strategies included in its approved plan, the district shall:

implement the district plan approved by the Kentucky Board of Education. Only schools designated as persistently low achieving (PLA) schools under KRS 160.346 and the schools listed below are eligible to participate in the Jefferson County District of Innovation Plan and are thus covered under this MOU:

1.

The Academy @ Shawnee
Doss High School
Fairdale High School
Fern Creek Traditional High School
Frost Middle School
Iroquois High School
Knight Middle School
Olmsted Academy North
Myers Middle School

Seneca High School
Southern High School
Stuart Middle School
Thomas Jefferson Middle School
Waggener High School
Western Middle School
Western High School
Westport Middle School
Valley High School

Schools subsequently identified as persistently low achieving may be required by the district to participate in the Jefferson County District of Innovation Plan. Additional schools may participate with school-level evidence provided by the district to KDE as required by KRS 160.107.

2. agree, per 701 KAR 5:140(4)(1), to either:
 - a) incorporate the approved District of Innovation plan into the CDIP of the district and CSIPs of the participating schools; or
 - b) replace the CDIP/CSIPs with the District of Innovation Plan;

3. actively participate in all relevant convenings, communities of practice, or other practice-sharing events that are organized or sponsored by KDE;
4. in a timely manner, post to any Website specified by KDE, all non-proprietary products and lessons learned from the implementation of the district's plan;
5. fully participate in and provide all relative information for the annual site visits as required under 701 KAR 5:140(4)(3);
6. be responsive to KDE requests for information including the status of plan implementation [per 701 KAR 5:140(4)(2)], outcomes, and any problems anticipated or encountered;
7. establish a district leadership team that shall, at a minimum, contain the following:
 1. The Superintendent or their designee
 2. The Chief Academic Officer of the district
 3. The Chief Information Officer of the district
 4. The Chief Finance Officer in the district
 5. The Principal of ALL participating schools; and
8. Include the Education Recovery Director assigned to the district on the district leadership team if the district plan contains persistently low achieving schools.

KDE RESPONSIBILITIES

In assisting the district in implementing their activities and strategies described in the district plan the KDE shall:

1. work collaboratively with, and support the district in carrying out the district plan;
2. provide feedback on the school district's updates, annual reports, site visits and requests for technical assistance; and
3. identify sources of technical assistance for the project.

JOINT RESPONSIBILITIES

1. KDE and the district will each appoint a contact person for the district of innovation plan. The district contact person shall be a member of the district leadership team;
2. These contact persons from KDE and the Participating School District will maintain frequent communication to facilitate cooperation under this MOU; and
3. KDE and district contacts shall work together to determine appropriate timelines for project updates and status reports throughout the term of the district of innovation status;

ASSURANCES

The district hereby certifies and represents that it:

1. has all requisite power and authority to execute this MOU; and

2. is familiar with the concepts in the districts of innovation legislation and administrative regulation and is supportive of and committed to successful implementation of the district's plan.

WAIVERS

The district shall adhere to the following approvals and denials of waivers to statute and regulation. Requests for waivers of any other statute or administrative regulation shall be made through an official amendment request to the application.

(NOTE: More schools than just the PLA/Priority schools of the district are included in this district's application, but school participation evidence for the non-PLA/Priority schools, included in this district's application, did not accompany the application. Only PLA/Priority schools may be considered for approval unless the additional buy-in and school-level evidence is provided by the district.)

1. Waiver of persistently low-achieving school options to add a 5th option to create a school of innovation at a PLA school. The district cited KRS 160.346 in this waiver request. Relevant as well to this waiver request is 703 KAR 5:180.
RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107.
2. Waiver of 703 KAR 5:240 which defines A1 status for schools and use 704 KAR 3:390 describing A5 and A6 schools to expand which students may be served by an A5 district-wide school.
RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107.
3. Waiver EPSB local educator assignment data (LEAD) administrative regulation to reconsider what constitutes the teacher of record. The district cited 16 KAR 1:050 in this waiver request.
RECOMMEND DENIAL. KRS 156.108 and KRS 160.107 do not grant the Kentucky Board of Education waiver authority over EPSB statutes and regulations. The district is advised to communicate with EPSB to determine any available avenues for accomplishing this goal.
4. Waiver of KRS 158.070 and 702 KAR 7:140 setting the school year and school day requirements to allow the district to educate students in different settings by creating staggered school days for some students so that they have a schedule that works for them.
RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107.
5. Waiver of KRS 158.070's restriction on the minimum term required of a teacher with the allowance for the district to give the teachers additional compensation and for JCTA to later set additional conditions on the district's actions under this waiver.

RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107.

6. Waiver of compulsory attendance requirements and SEEK funding requirements based on average daily attendance. The district cited KRS 159.010 and 702 KAR 7:125 in this waiver request but KRS 159.010's compulsory attendance requirement, which the KBE could not waive, does not appear relevant to this request.
RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107. KRS 156.108 and KRS 160.107 do not grant the Kentucky Board of Education the authority to waive the compulsory attendance requirements set forth in KRS 159.010. To the extent approval of this waiver would violate the requirements of KRS 159.010, this request would be denied.
7. Waiver of graduation requirements specific to subject matter but in compliance with the requirement that the alternative under the waiver meet the requirements of KRS 156.108 and 160.107 (but no details how or what they plan to do). The district cited KRS 156.160 and 704 KAR 3:305 in this waiver request.
RECOMMEND APPROVAL to the extent permitted under KRS 156.108 and KRS 160.107.
8. Waiver of EPSB certification requirements for persons to hold certified positions and perform certified duties in school districts. The district cited KRS 161.020 (and stated that the district would not evaluate these employees under certified evaluation in 16 KAR 1:010) in this waiver request. **RECOMMEND DENIAL. KRS 156.108 and KRS 160.107 do not grant the Kentucky Board of Education waiver authority over EPSB statutes and regulations. The district is advised to communicate with EPSB regarding currently available alternative certification options to accomplish this goal.**

MODIFICATIONS

This MOU may be amended only by written agreement signed by an authorized KDE official and the district.

DURATION/TERMINATION

This MOU shall be effective beginning with the date of the last signature hereon until the end of the district's status as a district of innovation.

SIGNATURES

District Superintendent:

Signature/Date

Donna M. Hargens, Ed.D.
Superintendent

Chair of Jefferson County Board of Education:

Signature/Date

Diane Porter
Chair

Education Recovery Director (if plan contains priority schools)

Signature/Date

Print Name

Commissioner, Kentucky Department of Education, Commonwealth of Kentucky:
By the signature below, KDE hereby accepts the school district as a District of Innovation:

Signature/Date

Terry Holliday, Ed.D
Commissioner of Education