

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Review Item:

703 KAR 5:200, Next Generation Learners; 703 KAR 5:225, School and District Accountability, Recognition, Support and Consequences; and 703 KAR 5:240, Accountability Administrative Procedures and Guidelines (First Reading)

Applicable Statute or Regulation:

KRS 158.6451

History/Background:

Existing Policy. KRS 158.6451 (Senate Bill 1), passed by the 2009 Kentucky General Assembly, established multiple assessment requirements and charged the Kentucky Board of Education (KBE) to create a new accountability system to classify districts and schools. With the guidance and approval of the KBE, the accountability model, Unbridled Learning: College- and Career-Readiness for All, offers a balanced approach organized around the KBE's four strategic priorities of next-generation learners, professionals, support systems and schools/districts.

The third year of the Unbridled Learning: College- and Career-Readiness for All concludes in fall 2014 with the release of the 2013-14 accountability scores. When the model was launched in the 2011-12 school year, a decision was made to review the model after three years of data were collected.

During the summer of 2014, staff collected ideas from various stakeholder groups and from the public at large on suggested changes to the accountability model. Those suggestions were shared with superintendents in August and again in September for their feedback. The KBE reviewed the suggestions during the October 2014 meeting and asked staff to draft revisions to review for the first reading of the regulations at the December 2014 meeting.

The changes are organized under the specific regulation impacted. Each change is introduced with general background, followed with the proposed revision as it would appear in the regulation. To see a complete set of revisions, refer to the bold statements in each specific regulation. New language is underlined and deleted language is denoted by a strikethrough. Each revision cites the section and line of the appropriate regulation.

703 KAR 5:240, Accountability Definitions and Procedures

1. ***Alternative Track Back.*** Kentucky's inclusive system expects every student to be included in accountability reporting. Regulatory rules guide local staff in placing or "tracking" students to the appropriate accountability reporting. This works for a student who has a clear connection from the A1 school that referred the student to the alternative program, and the alternative program. This process does not work well with students who enter alternative programs directly without entering an A1 school or who spend several years in a variety of

alternative programs. The proposed revision continues the track back rules for any student who has a clear track to an A1 school during a school year. Students who enter directly into an alternative school without ever entering an A1 school or who remain in alternative programs across multiple years and cannot be tracked back to an appropriate A1 school will be attributed to the district accountability scores.

Proposed Regulation Language:

- a. Section 2 (3) (Page 2, Lines 13-16) - A student enrolled in an alternative education program for a full academic year as a result of local school district policies or procedures without any enrollment in an A1 school during the same year shall be attributed to the accountability of the district that the student would have attended if not enrolled in the alternative education program.
 - b. Section 2 (5) (Page 2, Lines 20-21- Page 3, Lines 1-2) - The Kentucky Department of Education shall monitor alternative student placements. If evidence indicates a district is inappropriately placing students into alternative schools to avoid accountability, a testing allegation of inappropriate activity shall be filed for further investigation.
 - c. Section 4 (2) (a) (Page 3, Lines 14-15) - For reporting purposes, all alternative education programs shall receive annual accountability reports based on tested students.
2. **Early Graduates.** The Kentucky Board of Education has created an Early Graduate program defined in regulation 704 KAR 3:305 that allows students to accelerate their work and graduate early. Because accountability is based on students enrolled a full academic year (any 100 days of enrollment), Early Graduates may graduate from school before 100 days in an academic year and may not be included in a school or district accountability. The proposed revision includes these students in accountability whether or not the student completes 100 days of enrollment.

Proposed Regulation Language:

- a. Section 2(1)(b) (Page 2, Lines 5-7) - A student qualifying as an Early Graduate based on criteria defined in 704 KAR 3:305 shall be included in the school's accountability calculation in the year in which the student graduates whether or not the student has a full academic year of enrollment.

703 KAR 5:200, Next-Generation Learners

3. **Gap.** The third year of data from the accountability system showed that the achievement gap between all students and students that form the non-duplicated gap group is increasing. More attention to closing the gap is a necessary focus and requires that the accountability model strengthen the Gap component. The proposed revisions add individual gap group performance into the Gap component of the accountability system.

Currently, there are individual targets for each individual gap group reported in the Delivery section of the School Report Card; however, the scores are not used within the accountability system. To emphasize achievement for individual student groups, the proposed revisions add a novice reduction target for all individual gap groups into the accountability system. The calculation for Gap still maintains the non-duplicated gap group goal of moving all students

to proficient or higher but adds a novice reduction target for all individual gap groups into the formula. The two components would each account for 50% of the total Gap score. With the revision, individual student group performance will directly impact the accountability system and become a focus for improvement.

Proposed Regulation Language:

- a. Section 1 (5) (Page 2, Lines 3-5) - "Gap" means the percentage of students in the non-duplicated student gap group scoring proficient or distinguished on state-required content area tests and the reduction of students in the novice performance level in individual student gap groups.
- b. Section 4 (2) (f) (Page 7, Line 14 - Page 9, Line 19) - Gap shall be reported in Next-Generation Learners as established in this subsection. (a) Gap scores shall be computed based on points from the non-duplicated gap group and the reduction of students in the novice performance levels in individual gap groups. (b) Non-duplicated gap group calculations: A single gap group called the non-duplicated gap group shall be created. This group shall consist of an aggregate, non-duplicated count of students in the following demographic categories:
 1. African American;
 2. Hispanic;
 3. American Indian or Native American;
 4. Limited English proficiency;
 5. Students in poverty based on qualification for free or reduced price lunch; and
 6. Students with disabilities that have an Individualized Education Program (IEP).
- (c) For each tested content area, students scoring proficient or higher in the non-duplicated gap group shall be summed. 1. The sum shall yield a single gap number of students with: a. No student counting more than one (1) time; and b. All students in the included groups counted once. 2. The individual content area gap percentages shall be averaged for an overall gap percentage.
- (d) The non-duplicated gap group shall have a minimum of ten (10) students per content area in the school or district in order to report gap data.
- (e) A maximum total of 500 points shall be awarded for non-duplicated gap calculation. The points shall be distributed equally among the content areas tested.
- (f) Reduction of novice student calculation: Annual novice reduction targets shall be calculated. Points shall be awarded based on the percentage of the annual goal met in the following categories:
 1. African American;
 2. Hispanic;
 3. American Indian or Native American;
 4. Limited English proficiency;
 5. Students in poverty based on qualification for free or reduced price lunch; and
 6. Students with disabilities that have an Individualized Education Program (IEP).
- (g) The calculations shall be made using the novice reduction in reading and mathematics.

- (h) The novice reduction gap groups shall have a minimum of ten (10) students per content area in the school or district in order to report gap data.
- (i) A minimum of ten (10) percent novice per content area in the school or district is required to be included in calculations.
- (j) A maximum of 500 points shall be awarded for the novice reduction calculation. The points shall be distributed equally among the content areas tested.

4. **Growth.** Kentucky uses the Student Growth Percentile (SGP). SGP uses a normative model to determine how individuals compare against an academic peer group. It is difficult to set goals on the normative model and to make estimates of progress during the year since the final score depends on how students in other schools performed. This problem is emphasized at the elementary level due to the heavier weighting on Growth (Achievement 30%, Gap 40%, and Growth 40%).

There are two revisions for the Growth model: (1) Adjust the weights at elementary to Achievement (40%) , Gap (30%) and Growth (30%) and (2) Add a calculation that uses a categorical growth model that includes growth as individual students move forward through the performance levels of Novice to Apprentice and Apprentice to Proficient. The adjustment in the weights at the elementary level brings elementary growth into better alignment with the middle and high school weights. The use of categorical growth from novice to apprentice and apprentice to proficient provides a score that can be used to set concrete annual goals and credits students with moving from one performance level to another.

Proposed Regulation Language:

- a. Section 1 (6) (Page 2, 6-9) - "Growth" means the percentage of students that show typical yearly growth in reading or mathematics using the student growth percentile and individual movement from the performance level of novice to apprentice or apprentice to proficient.
- b. Section 4 (3) (Page 8, Line 10 – Page 9, Line 19) - Individual student growth shall be reported in Next-Generation Learners as established in this subsection.
 - (a) Individual student growth shall be computed based on points from a student growth percentile model and points from a categorical growth model.
 - (b) At elementary and middle schools, calculations shall include scores from students with data from reading assessments across two (2) years and mathematics assessments across two (2) years.
 - (c) At high school, calculations shall include scores from students with data from college readiness reading and mathematics assessments across two (2) years.
 - (d) Student growth percentile calculations: 1. One (1) point shall be awarded for each percent of students that shows typical or high growth in reading and one (1) point shall be awarded for each percent of students that shows typical or high growth in mathematics. 2. Typical yearly growth shall be at or above the fortieth (40th) student growth percentile. 3. Points shall not be awarded for students showing lower than typical growth.
 - (e) For elementary, middle, and high schools, total points shall be 50 for each content area of reading and mathematics for a total of 100.
 - (f) Categorical growth model calculations: 1. One (1) point shall be awarded for each percent of students that shows movement from novice to apprentice, apprentice to proficient or distinguished, or novice to proficient or distinguished in reading and one (1) point shall be awarded for each percent of students that shows movement from novice to

apprentice, apprentice to proficient or distinguished, or novice to proficient/distinguished in mathematics.

2. One (1) point shall be awarded for each percent of students that remain proficient or distinguished in reading and one (1) point shall be awarded for each percent of students that remain proficient or distinguished in reading.

3. Points shall not be awarded for students who remain in the same performance levels of novice and apprentice.

4. One (1) point shall be subtracted for each percent of students that move from apprentice to novice, proficient or distinguished to apprentice or proficient/distinguished to novice.

5. For elementary, middle, and high schools, total points shall be 50 for each content area of reading and mathematics for a total of 100.

- c. Section 4 (6) (Page 11, Line 16- Page 12, Line 1) (a) - The total number of points earned in each category of achievement, gap, individual student growth, readiness for college or career, and graduation rate shall be weighted in the following manner:

Grade Range	Achievement	Gap	Growth	Readiness for College or Career	Graduation Rate	Total
Elementary	40	30	30	n/a	n/a	100
Middle	28	28	28	16	n/a	100
High	20	20	20	20	20	100

5. ***Middle and High School Readiness Tests.*** The ACT EXPLORE and PLAN tests are being discontinued by ACT, Inc. in the near future. Revisions to the regulations eliminate references to these tests.

a. Section 1(2) (Page 1, Lines 17-19) - "College readiness" means the percentage of middle school students meeting benchmarks on the high school readiness test that is linked statistically to the ACT test in reading, English or mathematics.

b. Section 4 (d) (Page 10, Lines 20-21 – Page 11, Lines 1-3) - For middle schools, a readiness for college percentage shall be calculated by determining the percentage of students who meet the benchmarks for reading, English, and mathematics on the high school readiness test that is linked statistically to the ACT test.

703 KAR 5:225, School and District Accountability, Recognition, Support and Consequences

6. ***Annual Measurable Objective (AMO) Calculations.*** AMO calculations are improvement targets required by the waiver guidelines from the United States Department of Education. One main goal of the AMO is to measure achievement based on student performance from year to year. In order to stay focused on the measures of student performance, the AMO should be calculated on the one component, Next-Generation Learners, which captures student achievement within the five components: Achievement, Gap, Growth, College/Career Readiness, and Graduation Rate. The change in the regulation would keep the original calculation that worked well in place and make all calculations for AMO on the Next-Generation Learners component only. "Annual measurable objective" or "AMO" means the

improvement goal for each school or district calculated from the total score of the Next-Generation Learners component.

Proposed Regulation Language:

c. Section 4 (2) (Page 9, Lines 12-18) - Each school level or district shall receive an AMO. The method for determining the AMO shall be as follows: (a) Using the total score of Next-Generation Learners, a mean and standard deviation shall be computed for the elementary, middle, and high school levels; and (b) The mean and standard deviation shall be recalculated as adjustments of the Next-Generation Learners component are made.

7. ***Focus Schools Calculations.*** Currently, the identification of Focus Groups using the 3rd Standard Deviation model is not working well due to its complexity and how it over-identifies the students within the students with disabilities group. In order to have a more equitable and simpler method, a new set of calculations is proposed. The lowest five percent for each individual student group shall be used to identify Focus Schools. In addition, the calculation would combine two years of data to provide a better trend of the Focus Group.

Proposed Regulation Language:

d. Section 1(6) (Page 2, Line 20 – Page 3, Line 3) - "Focus School" means a school that has a non-duplicated student gap group score in the bottom ten (10) percent of non-duplicated student gap group scores for all elementary, middle, and high schools; schools with an individual student subgroup that falls in the bottom five (5) percent for individual subjects; or high schools that have a graduation rate that has been less than eighty (80) percent for two (2) consecutive years. Focus calculations shall combine two years of data.

e. Section 4 (7) (Page 11, Lines 5-15) - A Focus School identified using the bottom five (5) percent method shall be determined as established in this subsection. (a) By level of elementary, middle, or high, individual student subgroups shall be ranked on the percentage of proficient and distinguished students for all schools in the state in each subject area of reading, mathematics, science, social studies, and writing. (b) Student subgroups shall number at least twenty-five (25) students in order for the calculation to occur. (c) A school having an individual student subgroup by level and subject that falls below the bottom five (5) percent cut score shall be identified as a Focus School.

f. Section 7 (2) (Page 13, Line 25- Page 14, Line 1) - To exit the focus status, the requirements of this subsection shall be met. (a) A Focus School in the non-duplicated student gap group category shall: 1. Be above the lowest ten (10) percent category; 2. Show improvement; and 3. Meet AMO for two (2) years in a row. (b) A Focus School in the bottom five (5) percent category shall have the individual subgroup that triggered the school's placement in the category to: 1. Rise above the bottom five (5) percent cut score; 2. Show improvement; and 3. Meet AMO for two (2) years in a row.

8. ***Graduation Rate.*** Currently, the Graduation Rate of 70% is used to determine if a school should be identified as a new Priority School or be exited from Priority status. With the move to the Cohort Graduation Rate, there are no schools scoring below 70% and only five schools scoring between 70% and 80%. The Graduation Rate should be increased to 80%.

Proposed Regulation Language:

- g. All references to graduation rate have been changed in the regulation to 80%. An example is found in Section 1 (4) (b) (Page 2, Line 11) - "District of Distinction" means a highest-performing district that: (a) Meets its current year AMO starting in 2012-2013, student participation rate, and graduation rate goal; (b) Has a graduation rate above eighty (80) percent for the prior two (2) years;
9. **Labels for Rewards.** Currently, a District of Distinction must meet its current AMO, student participation rate, graduation rate goal, and have a graduation rate above 70% (proposed change to 80) for prior two years, does not have a Focus or Priority School, and must score at the 95th percentile on the Overall Score. A School of Distinction has all the same requirements except there is no mention of the Focus category. In order to create a congruent definition for the Districts and Schools of Distinction, the Focus category requirement would be added to the definition of School of Distinction.

Proposed Regulation Language:

- h. Section 1 (25) "School of Distinction" means a highest-performing elementary, middle, or high school that: (a) Meets its current year AMO starting in 2012-2013, student participation rate, graduation rate goal and shall not be identified as a Focus School.
10. **Priority Definition.** The original Priority definitions created in 2010 need to be updated to match the current system.

Proposed Regulation Language:

- i. Section 1 (22) (Page 5, Line 22- Page 6, Line 2) - "Priority School" means a school that has an overall score in the bottom five (5) percent of overall scores by level for all schools that have failed to meet the AMO for the last three (3) consecutive years.

Impact on Getting to Proficiency:

The Kentucky accountability system establishes how schools/districts are held responsible for ensuring Kentucky's students are proficient and prepared for success. The discussion of revising regulations will lead to improvements in the model. These improvements will provide more incentives to increase achievement in Kentucky.

Groups Consulted and Brief Summary of Responses:

School Curriculum, Assessment and Accountability Council (SCAAC)
District Assessment Coordinators (DAC) Advisory Group
Local Superintendents Advisory Council

The input from these groups will be discussed at the December KBE meeting.

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Commissioner of Education

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