

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion 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 (Second Reading)

Applicable Statute or Regulation:

KRS 158.6451

Action Question:

Should the Kentucky Board of Education approve 703 KAR 5:200, 703 KAR 5:225 and 703 KAR 5:240?

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 concluded 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. After the first reading of the regulation in December, several additional suggestions for changes were made. In February 2015, the Kentucky Board of Education will conduct the second reading of the regulations.

The staff note focuses on the proposed revisions since the first reading of the regulations. General background introduces the changes. Then, changes are organized by topic and specific regulation impacted. 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. In the regulations, changes since the December KBE meeting are highlighted with

yellow (in color versions) in black and white print the highlight appears as a gray shaded area. Each revision listed in the staff note cites the section and line of the appropriate regulation.

Minor changes to the regulations that do not impact content such as punctuation, grammar, spelling, deleting an outdated year reference and numbering of sections were made, but are not mentioned specifically in the staff note.

703 KAR 5:240, Accountability Definitions and Procedures

The proposed language incorporated and presented during the December 2014 first reading of the regulation remains in effect. A minor clarification to the wording has occurred:

1. *Alternative Track Back.*

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, it shall be further investigated by the Department of Education.

703 KAR 5:200, Next-Generation Learners

2. **Gap.** During the December reading, staff pointed out that the non-duplicated gap group needed to be added to the reduction of novice calculation. This addition to the list of individual student groups will mean the reduction of novice calculation will apply to virtually all schools in Kentucky. Staff also added language to clarify the tested subjects used for the novice reduction calculations are reading and mathematics. Staff deleted a statement from the December version that conflicted with the minimum of ten students used as the cutoff for public reporting. Regulatory language is shown below:

Proposed Regulation Language:

- a. Section 1 (5) (Page 2, Lines 3-6)

"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 **in the state-required reading and mathematics tests.**

- b. Section 4 (2) (f) (Page 8, Line 3)

(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;
6. Students with disabilities that have an Individualized Education Program (IEP); and

7. Non-duplicated gap group.

- c. Section 4 (2) (i) (Page 8, Lines 7-8)

Delete: ~~[(i) A minimum of ten (10) percent novice per content area in the school or district is required to be included in calculations.]~~

- d. Section 4 (2) (i) (Page 8, Lines 9-11) ~~[(j)]~~ A maximum of 500 points shall be awarded for the novice reduction calculation. The points shall be distributed **equally between the content areas tested in reading and mathematics.**

3. **Growth.** In December, the KBE indicated (1) it would be fairer to award growth points when a student moves from any performance level category to a higher performance level category and (2) the weights for elementary achievement, and growth should be equal. Also, based on the recommendation of the School Curriculum, Assessment and Accountability Council (SCAAC), a simplified description of the calculation for the categorical growth model has replaced language shared in December. Revised language has been added in the appropriate locations as outlined below:

Proposed Regulation Language:

- a. Section 1 (6) (Page 2, Lines 7-10) - "Growth" means the percentage of students that show typical yearly growth in reading or mathematics using the student growth percentile and the individual movement of students **in reading and mathematics from one performance level to a higher performance level.**
- b. Section 4 (3) (f) (Page 9, Lines 8-12)
(f) Categorical growth model calculations: **1. Shall use the following formula the sum of the number of students moving from novice to apprentice, the number of students moving from apprentice to proficient, the number of students moving from proficient to distinguished, the number of students remaining at proficient, and the number of students remaining at distinguished divided by the total number of students.**
- c. Section 4 (6) (Page 12, Lines 5-7) (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	<u>33.3</u> <u>[40-30]</u>	<u>33.3</u> <u>[30]</u>	<u>33.3</u> <u>[30-40]</u>	n/a	n/a	100
Middle	28	28	28	16	n/a	100
High	20	20	20	20	20	100

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

During the December first reading, the board did not point out any changes to this regulation; however, staff proposes (1) adding language to clarify the use of two years of data for focus calculations (2) updating the graduation goal calculation to come in alignment with the Four Year Cohort Graduation Rate and clarifying the calculation for Annual Measurable Objective (AMO) goals. Language has been added to accomplish those goals and is outlined below:

4. *Focus Schools Calculations.*

Proposed Regulation Language:

Section 1(6) (Page 2, Line 20 – Page 3, Line 4) - "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; **focus calculations for new or reconfigured schools shall use one year of data.**

5. *Graduation Rate Goal.*

Proposed Regulation Language:

Section 1(7) (Page 3, Lines 5-8)

"Graduation rate goal" means the annual graduation rate goal set by the department for each high school and district that measures progression toward the statewide goal of ninety-eight (98) percent by **2024** and is computed by dividing by **ten (10)** the difference between **2014** and the baseline percent of ninety-eight percent.

6. *AMO Clarification.*

Proposed Regulation Language:

Section 4(3) (Page 9, Lines 19-21 – Page 10, Lines 1-3)

~~[(4)]~~(a) The AMO goal for a school level or district classified as needs improvement shall be to increase the **total score by one-third (1/3)** ~~[overall score by .07]~~ of a standard deviation **in a five year period.** annually.

(b) The AMO goal for a school level or district classified as proficient or distinguished shall be **one-half the goal of a needs improvement school or district** ~~[to increase the overall score by .035 of a standard deviation]~~ annually.

Staff Recommendation(s) and Rationale(s):

Staff recommends approval of 703 KAR 5:200, 703 KAR 5:225 and 703 KAR 5:240. These changes will contribute to the accountability system being fairer and more reliable.

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 February KBE meeting.

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Commissioner of Education

Date:

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